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California Journal

THE MONTHLY ANALYSIS OF STATE GOVERNMENT AND POLITICS

Is government too BIG or too BAD?

SPECIAL SUPPLEMENT
1976 ROSTER and GUIDE

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A PERSONAL PERSPECTIVE . . .

By Ed Salzman

The making of an assemblyman

Vic Fazio started his successful special-election campaign for the Assembly seat vacated by the death of Edwin L. Z'berg of Sacramento as a virtual unknown in the district. He was familiar to those who work within Capitol political circles, but this was a race to be won or lost in the wide-open spaces of Solano and Yolo counties. Yet, Fazio emerged as the top Democrat with relative ease and then defeated Republican Mike Abernathy by a narrow margin in the runoff despite the fact that Abernathy had run well in the district before (against Z'berg in 1974) and had excellent name identification.

Why did Fazio come out of nowhere to defeat Abernathy, former Yolo County Supervisor Joe Espigares and Ida Casillas, another Capitol hand with strong feminist backing? The answer is that Fazio, chief of the Assembly Democratic consultants, was a high-ranking member of perhaps the most important political organization in California today — the club, coterie, society, union, fraternity, or whatever you choose to call it, constituted by the aides to current office-holders.

Because of his standing and experience, Fazio knew that he could not delay a decision to run. And he knew just whom to call first, just where funds could be obtained, just which people were the workers in the district, just how to research issues, and just which stands would benefit him most. In other words, he could come out of the blocks flying. In a special election, that can be vital. For Fazio, it meant that he could get his campaign in full swing while the others were just getting organized. In some cases, administrative assistants to lawmakers know even more about the politics of the district than the elected officials. While working the territory for the boss, they are also working it for themselves should an opportunity arise. These political aides have advantages that can even extend over local officials who are extremely well known, as fraternity-member Bill Lockyer proved by demolishing San Leandro Mayor Jack Maltester to succeed the late Robert Crown in the Assembly.

This is not a new phenomenon. About 20 elected officials in California have come from political staffs, directly or indirectly. The list starts with state Controller Ken Cory and includes Assembly Speaker Leo McCarthy, Assembly Majority Leader Howard Berman and four lawmakers who came from the organization of Lieutenant Governor Mervyn Dymally. There are many more young men and women waiting in the wings for their bosses or others to move out so that they can apply the political knowledge they acquired at public expense.

This phenomenon is not comparable to old-fashioned machine politics. It isn't necessarily bad or good; that depends on the quality of the elected officials it produces. Certainly, it produces excellent candidates insofar as electability is concerned. But there is often a wide gap between the quality of an individual as a candidate and as an official.

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Why Governor Brown is wise not to host many social functions: He called a holiday-season party for the Capitol press corps. There was no booze. Brown appeared more than half an hour late. And he flung his favorite philosophical lines at the guests. Commented the spouse of one reporter to the Governor: "That's deep."

Newest state agency: the Office of Appropriate Technology. The mission is to spread Brown's pet "small is beautiful" philosophy into state and local government. The notion is that technology must be brought into conformity with ecologically sound principles. The three-person office will be headed by State Architect Sim Van der Ryn.

Brown almost learned about the resignation of his press secretary, Bill Stall, by reading about it in the newspapers. After Stall took a reporting job at the *Los Angeles Times* the word spread through journalistic circles before Stall had a chance to tell Brown he was quitting. But Stall managed to locate the Governor at Kagetsu, a small Japanese restaurant in Sacramento, and give him the word before the news broke into print.

The decision by Assemblywoman Pauline Davis not to run for another term after all (she's opening a curio shop in Old Sacramento) raises the possibility that there will be fewer female members of the Legislature next year despite the efforts of feminists to make major gains at the ballot box this November. Women will now have to pick up one seat just to break even. One woman who looks like a good Assembly prospect is Jane Tolmach, Democratic former mayor of Oxnard (assuming that Ken MacDonald decides to retire).

Upon leaving the Senate, Mayor George Moscone of San Francisco told his colleagues that he was going to write a book telling the public all the *good* things about the Legislature that newspapers and broadcasters don't cover. It will be either a racy best seller or one of the shortest books ever published.

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ROSTRUM

Our Policy. *The* **Journal** *welcomes comments on articles or on issues involving California government and politics. First priority for publication in the "Rostrum" will be given to brief letters presenting significant viewpoints not previously expressed in the* **Journal.**
The rostrum is yours.

THE EDITORS

Another view on water-rights decision

The January 1976 issue of *California Journal* included an article that was a glaring departure from your usual norm of providing a fair and objective analysis of the problems and issues facing the state. I am referring to the opinionated, one-sided, over-simplified article titled, "The federal takeover of the state's dam business." And it is *not* the expression of opinion to which I object. Rather, it is the total lack of effort to provide more than just one limited view of a complex and important issue.

The author has freely quoted from the state officials who have strongly opposed the decision by U.S. District Judge Thomas J. MacBride on New Melones. However, he has totally ignored all other viewpoints. Why is there no attempt to include the view of federal contractors and local water-agency officials who depend on the federal government for their water supplies, or of the federal government itself?

The article erroneously states that Governor Brown now has a decision to make because Thomas J. Graff, regional counsel for the Environmental Defense Fund, has written to the Governor that he must get tough with the federal government. Yet the Governor has made that decision — in sharp disagreement with Mr. Graff's views.

The issue raised by Judge MacBride is a complex one. Water leaders throughout the state have differing views on what is the right course. We feel it important that this issue be thoroughly explored so that the public will be more aware of the problems and possible solutions. All we ask is that any such exploration be done with fair treatment of all sides and all ramifications. Once that has been done, it is fair for your writers to express their opinions. But when you don't provide a complete analysis, you are cheating your readers of your usual thorough job of reporting.

JOHN P. FRASER
Executive Director and
General Counsel
Association of California
Water Agencies

Hunters and their gun-control hangup

I am writing with regard to your December column on the handgun initiative ["Triggering a gun-control law"]. As was noted, hunter groups have often taken a hard line against any sort of gun control, including that limited to handguns. Speaking as a hunter, I can assure you that handguns are of practically no value in hunting. . . . A handgun is simply not accurate enough for small game, and for larger game a lack of power and range is added. . . .

It certainly is true that many hunters feel threatened by handgun legislation. One major reason for this is the deliberate blurring by the gun lobby of the distinction between handgun control and control of all firearms. I suggest a review of articles on gun control in the NRA's *American Rifleman* magazine to see this exemplified. The possibility of restricting only handguns is simply never acknowledged. Another basis for hunter opposition is the fear, spread mainly by the NRA, that gun control is part of a larger plot to prohibit hunting. . . . I am sure there are people who would favor this, but it is preposterous to think such legislation has any political (or ecological) viability.

LAWRENCE P. KOLB
Oakland

The difference between north and south

Regarding the story, "Changing of the tide in the Lake Tahoe basin", by Ginny McPartland [*CJ*, January 1976], I want to commend Ms. McPartland for her analysis of the political situation at Lake Tahoe. However, I feel it is only fair to point out a common error made in attempting to report on activities in the Tahoe Basin — that there are two sides to the lake, the north shore as well as the south shore, and that philosophies regarding development *vs.* conservation and home rule *vs.* state and national involvement are totally different — much in the same manner as one would compare San Francisco *vs.* Los Angeles in matters of cultural preference. While South Lake Tahoe is almost totally oriented towards gaming and creation of a truly urban atmosphere, . . . a more sensible approach towards conserving the natural beauty through orderly development exists on the north shore . . . As a director of the North Lake Tahoe Chamber of Commerce, I can also say that our business organization has maintained a middle-of-the-road approach towards further development at Lake Tahoe, even to the point of encouraging redevelopment of the existing business community here rather than creating new business. . . .

Unfortunately, our local representatives have gone along with the money interests at South Tahoe, prodded onward by the need to gain additional assessed valuation for their governmental treasuries. However, with the election of Governor Brown and establishment of a strong California Tahoe Regional Planning Agency, it now appears that we are headed toward the goal of orderly development and conservation of natural resources that so many of us have fought for over the years.

ROD STOLLERY
Editor, *Tahoe World*

Some negative thoughts on early-childhood education

In the December *California Journal* there is an article entitled, "Early-Childhood Education, the school reform that works" by Ruth Pritchard, in which certain misconceptions are stated. First of all I would refer you to an analysis of this program by A. Alan Post, legislative analyst. He suggested that the program should not be increased due to

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THE POLITICIANS' WHIPPING BOY

What's wrong with government Is it too BIG or too BAD?

By ED SALZMAN

"All government bothers my conscience," claims Governor Brown. His predecessor, Ronald Reagan, may win the presidency running against the Washington bureaucracy. *Newsweek* devoted a cover to a villainous and rotund Uncle Sam under the title "Big Government". Politicians everywhere think that they have found the elixir of political success in the mid-1970s: Attack the growth of government and its incursion into the lives of the ordinary citizens.

Brown and Reagan share a capacity for being able to test the temperature of the masses and ride voter discontent into political office. Who can doubt that they reflect public sentiment when they attack government? But is it the bull's eye they have hit, or some other part of the target?

Are the masses upset about the sheer size of government and, if so, why now, since Big Government came to America with Franklin Delano Roosevelt and to California with Jerry Brown's father? Americans elected the father of Big Government, FDR, four times. They re-elected Pat Brown and then elected his son without fully realizing how different the Browns are. California government even grew considerably during the eight Reagan years, with Reagan all the while attacking "government".

No, the middle-class citizens are not so much rebelling against the quantity of government as against its quality. The current enemy of the people is not Big Government but Bad Government.

By any objective standard, government at the federal, state and local levels no longer matches the expectations of the public. What counts is not the plethora of governmental operations known only to the sophisticates and those directly affected but rather those governmental activities that affect the daily lives of the average citizen. Who cares what the large state Department of General Services does? But almost everyone wants to know whether the California Highway Patrol will give speeding tickets to those exceeding 55 miles an hour. From a political standpoint, what counts is not how good government really is but rather how it is perceived by the public. And right now the public doesn't like what it sees.

Public's concerns

The wants of the people are simple. They couldn't care less about American foreign policy in remote regions of the world as long as American lives are not endangered and American consumers are not hit in the pocketbook. They have come to expect a whopping share of their tax dollar to support an inefficient military establishment, but the protest is limited pretty much to peace organizations because most Americans feel that some defense apparatus is needed. What Americans do want are simple things like an efficient and reasonably inexpensive postal system, a good transportation network, decent housing at reasonable cost, communities in which homes are secure and the streets safe to walk, sound public education, an economy that provides jobs for most of us most of the time and keeps the grocery bill within reason, and a fundamentally fair tax structure.

Government may now be meeting some of these needs to the best of its ability. But in no single area does the public perceive that a good job is being done by our politicians and bureaucrats. One major problem is that the public doesn't always know what level of government is responsible for providing which service. The responsibility is often divided, as in such areas as crime control, education, transportation, welfare and taxation. This leads to situations in which local officials blame the state, governors blame Washington, the President blames Congress, and Congress blames the Ppresident. And everyone blames the faceless bureaucrats.

Flip a coin

California, at least compared to other states, has clean, efficient and corruption-free government. But what comfort is that to a Californian who gets a speeding citation

***Newsweek*'s Uncle Sam**

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and must pay the fine? Under the system many of us recall from Eastern states, the citizen had a ward politician to funnel favors from city hall and the statehouse. Any citizen could feel as though he or she had a piece of the action — and it didn't make much difference whether the system was abstractly clean or efficient. The people accepted a measure of corruption — so long as the corrupted politician was their corrupt politician. One thing that may have outraged some Americans about Watergate is that there was corruption in the highest places at a time when none of the action was being spread around. Ward politicians never made that mistake.

That is the cynical side of the coin. Turn it over and look at the situation through the eyes of someone who wants and expects government to be efficient and free of

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corruption. For this individual, probably in the majority, the outlook is even more dismal. This individual can only be sickened by the revelations that even J. Edgar Hoover wasn't the deity he was advertised to be. And if you can't believe in the FBI as the ultimate protector of the American public, what is there left to believe?

Assessing services

In order to analyze the public disaffection with the quality of government, it is necessary to identify those services that the citizenry thinks it should be getting from government and then assess the current state of public perception of those services. Let's start with the national government:

Foreign affairs: What more need be said about the current state of the American attitude than to mention Vietnam and the Central Intelligence Agency?

The military: The end of the draft probably neutralized American hostility toward military service, but most taxpayers resent the huge amounts spent to finance an operation that they believe to be unduly wasteful.

Managing the economy: This is perhaps the most important service provided by the national government because it touches virtually every aspect of our daily lives. For several years, Americans have been afflicted with unbearable inflation. They think that they pay far too much for the items that count — food, housing and fuel. But even inflation is bearable when wages rise commensurately (and they haven't) and jobs are plentiful. But inflation combined with high unemployment has been the plight of the nation — and especially California — for the last two years. This is the biggest plus factor for the Democrats in the 1976 national elections.

Postal service: Technically, the Post Office is a semi-independent organization no longer run by a member of the president's cabinet. But the ultimate decisions are still made by the government. Justified or not, Americans feel that it costs too much to mail letters and packages and that service has deteriorated over the years. A case can be made that the postal service is more efficient than most agencies of government, but what's important is that the public doesn't believe it.

Social security: During the past few years, Americans have seen more and more money deducted from their paychecks to pay for the Social Security system, which includes Medicare. Social Security recipients are unhappy because they do not feel that they get enough money to live decently during this time of spiraling inflation. The working stiff objects to the increasing deductions and worries that there may not be any money in the pot to provide income when he or she retires. The fact is that Social Security, like public pension systems everywhere, is a mounting problem as more citizens live longer on income provided by today's workers.

Taxation: The federal income tax is the single most important levy in America today. Generally, Americans hold the Internal Revenue Service in high regard for its even-handed application of the tax law — tough on everyone. The public discontent with the tax system — and it is perhaps the single most important factor underlying the overall attitude of the citizenry toward government — is based more on a feeling that the income-tax laws are unfair. Politically, it is the middle class that dominates America — at least in the voting booth. Yet, the tax structure hits hardest at the middle classes. The poor contribute relatively few tax dollars and draw the most welfare benefits, and the rich are able to take advantage of so-called loopholes to minimize their tax burdens. Workers have their taxes deducted from their wages with little recourse. While the laws also discriminate against renters and single persons, among other categories, that stems more from societal priorities (toward marriage and home ownership) than from any fundamental unfairness. Nevertheless, Middle America very much resents an unfair tax structure, especially when it goes to pay for what it envisions as Bad Government.

The federal government, because it has the highest level of taxation, also is viewed as the prime villain in some fields that cover more than one level of government. Without attempting to assess responsibility to local, state or national government, here is how the public perceives what it is getting in some of these key areas:

Health and welfare: Many Americans are upset with government because it provides so many benefits for the poor — welfare checks, health plans like Medi-Cal, food stamps. But they don't know where to assess the blame — at Washington, Sacramento or the county courthouse. Everyone seems to agree that the present health-and-welfare system must be changed, but nobody has yet come up with a solution.

Transportation: Our highways are overcrowded with cars guzzling 55-cent-a-gallon gasoline and polluting the atmosphere. In California, at least, rapid-transit construction is hardly moving (partly as a result of the unfortunate BART experience). Train service has deteriorated, and AMTRAK has not nearly met expectations. Air-

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line service is not as reliable as it once was, and it is expensive. (Intra-state airline fares in California, however, are low by comparison to Eastern states.) But the major failure has been the lack of a mass-transit system to serve the Los Angeles area and the continued reliance on the automobile as the prime method of transportation, and all levels of government are involved.

Environment: All levels of government are involved, too, in the general field of environmental protection. California, for example, must receive a federal clearance if it wants to set auto-pollution standards tougher than those set in Washington. Funds for some projects, such as sewage treatment plants, are provided by local, state and national governments. Land-use control, traditionally a local prerogative, is gradually being taken over by larger units of government. The public cannot be expected to sort out the jurisdictional shadings, and the citizens blame government in general for failure to solve the smog problem in California and for allowing communities to develop in a sprawling, haphazard manner. The so-called no-growth movement is gaining momentum, and this is a rebellion against conventional thinking that new construction is good for a community because it produces more property-tax dollars and more jobs.

'Invisible' state

The state government is the level understood least by the public. And for good reason. In California, perhaps the main function of the state government is to collect taxes and parcel them out to local agencies for various programs. In only a few major areas does the arm of state government reach out daily to touch the masses.

Perhaps the most important element of state government to the average citizen is that dealing with automobiles — the freeway builders, the Highway Patrol and the Department of Motor Vehicles. Californians, whose life-style seems to pivot around the automobile, care deeply whether they can get from one place to another rapidly, whether they will be stopped for speeding and whether they can get their licenses without hassle. But the state also reaches the citizenry in dozens of other ways, depending upon their interests. One of the most important is the operation of the University of California and the California State University and Colleges. Any family with college-education problems is concerned about the cost, quality and admission standards of these institutions. When problems develop on campus, the entire citizenry becomes aroused, as it did in the 1960s. Another example is the state-park system, which provides recreational facilities for millions of visitors each year. It is significant to note that many of the people-oriented state services are funded through user fees — such as the gasoline tax and the motor-vehicle registration fee — rather than through general taxation.

Local disenchantment

It is local government that is probably most important to the average citizen because it provides the most vital services and there is direct contact between the public and the government employees. And it is this area of government that most frustrates the public. The two most important services are the public schools and police protection, with fire protection, garbage collection and the like close behind.

The schools are in disrepute with the public, and the controversy over busing is only the tip of the iceberg. Americans are not convinced that the quality of education is adequate, and they see teachers today more as militant unionists than as competent instructors. Governor Brown reflects the public mood precisely when he attacks school administrators and the size of their salaries. School boards are so harried with the details of fiscal problems that they never seem to find the time and energy to attack basic educational problems. San Francisco, which spends more per child than any other major school system in California, produces the least results. For many years there have been demands to produce dramatic reforms in the California school system, but ideas have not emerged.

And the public probably doesn't feel any more kindly toward those responsible for police protection. The police may be doing the best possible job within personnel and budgetary limitations, but the citizen is concerned about unsafe streets, high burglary rates, unreasonable response time to calls and, again, the militant unionization efforts of law enforcement officers.

Bad name

The New York fiscal crisis gave local government a bad name because the dollar crunch is evident everywhere. There is a growing feeling that public-employee unions are taking away control of government from the people. New York showed the nation what can happen when public-employee benefits get out of hand and the public debt is extended beyond the limits of fiscal prudence. Voters have little opportunity to protest, but one direct way is to defeat bond measures proposed by state or local government. Another sore spot with many Californians is the property tax, which soared with the sudden inflationary rise in property values in the last two or three years.

There are undoubtedly other areas of government that are in disrepute — and many others that meet with the approval of those relatively small elements of the public that deal with them. And if government has a generally bad image, it seems to make sense to pare it down. But a great many Americans realize that Big Government has become an integral part of our economic system. If one-third of the government employees in America were put out of work today, the nation would be thrust into virtually unprecedented economic chaos.

Like it or not, government has become the single biggest employer in this nation. And millions more earn their keep indirectly from the earnings of government employees. Americans wouldn't mind paying the taxes to support such a massive bureaucracy if they thought that they were getting Good Government in exchange.

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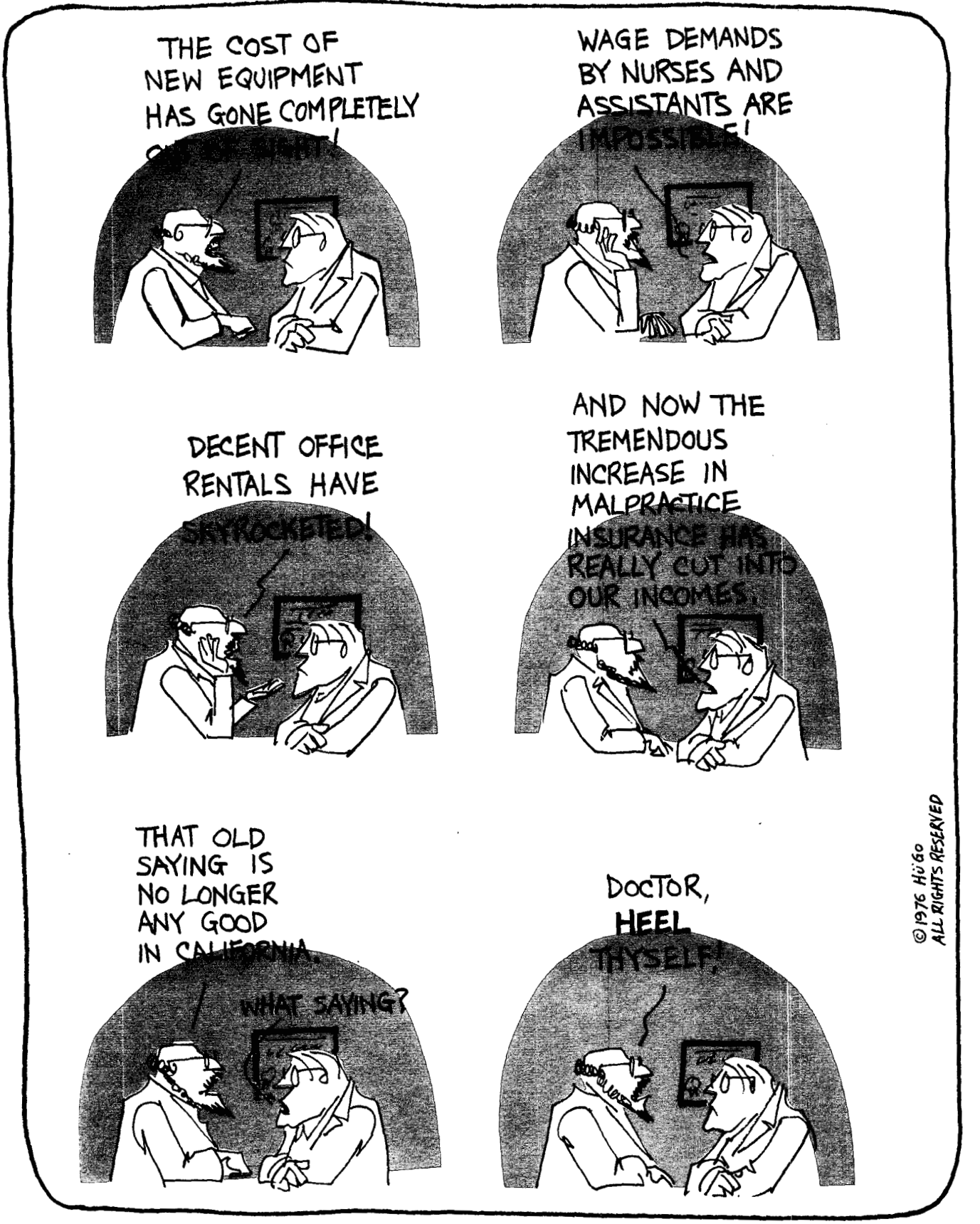
Caucus

by HÜGO


THE COST OF NEW EQUIPMENT HAS GONE COMPLETELY
WAGE DEMANDS BY NURSES AND ASSISTANTS ARE
DECENT OFFICE RENTALS HAVE SKYROCKETED!
AND NOW THE TREMENDOUS INCREASE IN MALPRACTICE INSURANCE HAS REALLY CUT INTO OUR INCOMES.
THAT OLD SAYING IS NO LONGER ANY GOOD IN CALIFORNIA.
WHAT SAYING?
DOCTOR, HEEL THYSELF!
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A Senator in search of a loyal constituency

By LEO REINERT

Stung by slippages in the polls and recurring signs of disaffection in liberal ranks, Senator John Tunney is cutting short his work schedule on Capitol Hill to mount a major fence-mending effort in California in the next few months. After five years in the Senate, Tunney has concluded that most voters still have only a vague, perhaps even distorted, idea of his performance in Washington and that it is now up to him personally to straighten out their perception.

As his campaign shifts into high gear for the June 8th Democratic primary contest, Tunney refuses to look upon challenger Tom Hayden as a prime threat. Of much greater concern are findings from a recent private poll showing that Tunney remains a fuzzy figure on the California political landscape — an office-holder still searching for a wide, loyal constituency. The electorate's blurry vision of the Senator does not appear to have been improved last year by his shifts to the right on economic issues. Labor and consumer groups were sharply critical when Tunney switched from opposition to support of deregulation of natural-gas prices and when he dropped out as a sponsor of a comprehensive national health-insurance system. Tunney's switches on these bread-and-butter issues drew him closer to the conservative line espoused by his would-be GOP challengers. But Republican aspirants quickly capitalized on his turnabouts and denounced him as a "flip-flop" senator, leaving Tunney vulnerable to charges from both flanks that he lacks solid political views.

The Senator also drew labor's wrath when he voted against a liberal-backed budget amendment to expand federal outlays by $9 billion for public works and other pump-priming programs. After the Senate rejected the proposal, AFL-CIO President George Meany angrily charged that its opponents cared more about reducing budget deficits than finding work for the jobless. In similar fashion, Tunney risked a backlash from another traditional base of support — the conservation movement — when he opposed the controversial California nuclear powerplant initiative on the June ballot. Tunney had reaped praise from the Sierra Club and other environmental groups for consistently taking the lead on Capitol Hill in efforts to slow down nuclear development and to require stronger safeguards. But he drew the line at the initiative, which he views as a gimmicky attempt to ban any further use of nuclear power. Given the holy-cause fervor of the initiative's proponents, it is doubtful that Tunney's anti-nuclear voting record now will outweigh their displeasure at his opposition to the ballot proposal.

Some imposing assets

While his failure to forge or maintain solid ties with such key interest groups could prove a handicap during the campaign, Tunney nevertheless enters the fray as the clear-cut favorite, and one who is not without some imposing assets.

Just before 1975 threatened to end as a rather dismal year for him, the Ford administration gave Tunney a golden opportunity to recoup some of his losses on the liberal side. As Congress woke up to the CIA's secret intervention in Angola, Tunney — with important backstage help from his senior colleague Alan Cranston — jumped in as leader of congressional forces seeking an immediate end to such involvement. Senate passage of Tunney's amendment to cut off any military support to a U.S.-backed faction in Angola gave him the type of dovish credentials that may cut directly into Hayden's basic strength.

Tunney strategists also view as plus factors his proven ability as a hard-punching campaigner and the absence of any heavyweight challengers — either in the primary or in the general election. There is an expectation in the

The author, a frequent contributor to the Journal, *covers Washington for the Sacramento, Fresno and Modesto* Bees.

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Tunney camp that, while the primary may get a bit bloody, wounds can be healed sufficiently on the left after June to leave him able to defeat any GOP opponent in November. Tunney's own estimate is that Hayden will not capture more than 30 percent of the primary vote. And if the field of Democratic challengers were to grow, with the entry perhaps of William Bennett of the state Board of Equalization, Tunney feels that this would redound to his advantage because his opponents would cut each other up as they fought it out for the allegiance of a minority faction in the Democratic Party.

Dangers in November

The Senator's principal concern remains November, when he expects to win by not more than 6 to 8 percentage points. While professing not to underestimate the threat from the left in June, Tunney is more worried about dangers lurking in November from what he perceives as a general rightward drift among voters, dissatisfaction with incumbents, and a renaissance of the Republican Party after the Watergate debacle. When Representative John Burton of San Francisco introduced him to a Democratic women's group as a "strong liberal . . . comfortably ahead," Tunney quickly demurred. "I have much less of a bullish attitude," he remarked. "I think I'm going to win, but it will be a tough election. It isn't going to be an easy task. There's a mercurial aspect to public opinion right now." Cranston had a much easier time of it two years ago when he breezed to a landslide re-election victory, Tunney argues, because 1974 was an "aberration" year when Republicans were decimated by Watergate. "The Republican Party is back to normal now," he adds. "We're in a much more competitive situation."

Some Tunney aides, however, are less inclined to write off Hayden as a minor threat and show somewhat greater concern about the primary clash. In their view, the challenge from the left this spring could be as serious as the battle with the right in the fall; in fact, they say, it could leave Tunney seriously weakened for the general election. Many liberal activists, they point out, still harbor scars from Tunney's 1970 primary victory over Representative George Brown and are clearly upset about his fiscal conservatism and anti-government rhetoric.

Some Tunney advisers, knowing what a short temper he has, also do not rule out the possibility that Hayden's attacks may lead the Senator to lose his cool and lash out with some highly emotional, counter-productive responses. The Hayden camp, aware that this may be Tunney's Achilles' heel, can be expected to step up its goading attacks and to bombard Tunney with charges that he is a synthetic politician without deep convictions and a willing tool of the business establishment — the kind of accusations Tunney is not constitutionally predisposed to let fall without comment. In fact, he already has tossed off a few sarcastic barbs in Hayden's direction, including the comment that all he could remember of his opponent's past was seeing him in newsreels when the "Chicago Seven" trial was on.

But while Tunney's weak spot may be his short temper, Hayden could prove just as vulnerable — if not more so — on an issue that has nothing to do with his radical past or the unorthodox political activities of his wife, Jane Fonda. That issue, which has caused serious concern for Hayden campaign planners, is Israel. Their fear is that their candidate simply would not be able to match Tunney's all-out support of Israel and that many Jewish liberals, who otherwise might defect from Tunney, will rally to his side once they perceive Hayden as a less enthusiastic supporter of the Jewish state. As some Hayden strategists see it, Israel could become Tunney's trump card — although the Senator at this point strongly disavows any intention of following such a strategy.

Tunney insists instead that he intends to criss-cross the state in coming weeks to make himself and his voting record better known to voters, while ignoring Hayden as much as possible. Uppermost in his mind, he says, is pollster Pat Caddell's discovery that Tunney is not burdened with any "serious negatives" but just is not perceived in sharp focus by many Californians.

With a swipe at "inadequate" press reports about his legislative achievements, Tunney says that he is assuming personal command of breaking down the "3,000-mile barrier" between California voters and their U.S. senators. "In California politics, absence does not make the heart grow fonder," he remarked in a recent interview. "I'm just going to have to spend a lot more time in California. I know I have to get out there and work and have people see me. The things I do in Washington just are not adequately communicated to people in the state. When I mention that I'm the author of 28 major bills that have passed the Senate on such issues as health, antitrust, the environment — and let me just think what are some of the others — and, oh yes, and those dealing with the economy, people back home just can't believe it. People are not familiar with my great effectiveness as a legislator. I'm still perceived as some kind of vague specter. I also feel deep down there are some who still think of me as someone who's just off skiing in Switzerland."

Tunney thus is betting heavily that hitting the campaign trail early and long can dispel this image. The more people are familiar with his views and his Senate voting record, he thinks, the more supportive they will become. Tunney is convinced that he is right on the very positions for which he has been most criticized, like natural-gas de-regulation and opposition to Senator Edward Kennedy's national health-insurance bill. In Tunney's view, criticism will abate as soon as he can make his positions fully known.

Shift on gas

But there is also a risk in this approach. While it may not breed contempt, familiarity may also leave his audiences unconvinced. On Capitol Hill, Tunney has been singularly unsuccessful in persuading liberals that lifting price controls on natural gas is the right course or that the nation cannot afford a national health-insurance program at this point. Cranston, who has gone out of his way to boost Tunney's re-election bid, has not followed him in these rightward directions. And con-

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sumer advocate Ralph Nader and unreconstructed liberals like Sacramento Representative John Moss have been sharply critical of Tunney's new stands. It remains to be seen, therefore, whether California voters can be more easily persuaded.

Until a year ago, Tunney was a firm advocate of continued federal price regulation of interstate supplies of natural gas. When the Nixon administration pushed for de-regulation, he said this would result in a "profit bonanza for producers" and price increases of 200 to 300 percent for consumers. But last April he came out strongly for de-regulation of new gas supplies on the ground that producers needed more financial incentives for exploration. The alternative, he warned, would be crippling shortages. Tunney said that price increases for consumers would be moderate and manageable. He rejected as far-fetched claims by Moss and Nader that gas producers were creating artificial shortages just to panic Congress into passing a de-regulation bill. Asked why he had abandoned his earlier position against de-regulation, Tunney said that he had done his own studies and no longer was relying on "information given to me by the consumer lobby." His new information, it turned out, came mainly from federal agencies, which in turn had obtained it from the industry.

But Tunney's conversion to de-regulation had deeper roots. The Senator was completing a book on the challenge posed by dwindling natural resources — food, water, energy. Called *The Changing Dream*, the book was published last November as his political and economic credo. In essence, it is a ringing affirmation of capitalism: While government ought to provide better planning guidance to help preserve scarce resources and ought to break up big oil monopolies, bureaucrats have no business getting involved in day-to-day economic decisions. "I favor an economic system in which the means of producing and accumulating capital are to the greatest extent possible in the hands of non-governmental interests, and the production and consumption of goods and services are subject to private competitive market mechanisms," Tunney wrote.

He later was to say that, having taken such a strong position against government "regulators" in the book, he could not in good conscience hang on to his old legislative position in support of price regulation for natural gas. In retrospect, it is clear that Tunney the author, not Tunney the politician, was the germinating force behind his switch to de-regulation.

Oil-state senators, with Tunney's help, pushed a de-regulation bill through the upper house over the loud protests of consumer groups. Cranston voted against the measure after both Reagan and Brown appointees on the California Public Utilities Commission, stung by evidence of cartel control of new Alaskan gas supplies, urged Congress to oppose de-regulation. "Either the price of Prudhoe Bay gas will be set by five federal power commissioners, or by four oil companies," the PUC said. "Whatever the frailties of regulation, we are unwilling to risk the consequences of a monopolistic market."

When asked by McClatchy Newspapers correspondent George Baker why he was not as impressed with the PUC's position as was Cranston, Tunney responded: "They don't have as good a sense as I do of the national view. They look at it from the California standpoint." This remark could come back to haunt him in this year's campaign.

To take some of the sting out of his controversial role in the de-regulation battle, Tunney escalated his rhetoric against the monopoly threat posed by big oil companies, and finally introduced his own bill to require their breakup. In his book and in numerous Senate speeches, Tunney has depicted monopolization and nationalization as equal threats to the American system. His liberal critics counter that the nation stands in far greater danger of being engulfed by the former than by the latter.

Health-insurance stand

Tunney scored some important plus points with liberals for the way he successfully steered the voting-rights-extension bill through the Senate, for his aggressive role in the ITT hearings and for his strong opposition to government snooping in private affairs. But he took it on the chin from groups supporting Kennedy's national health-insurance bill when he disclosed last summer that he now considers it too inflationary. The Health Security Action Coalition, which comprises more than 60 church, labor, political and civic organizations, assailed his position as "dead wrong". Tunney said that he could not go along with the bill's "colossal" price tag, although its sponsors argued that the measure has built-in cost controls that actually would help slow runaway costs for health care.

Tunney said that he would support interim measures, including government insurance for "catastrophic" illnesses, coverage for the unemployed and expansion of Medicare to include prescription drugs. "But we can't afford a full-blown program now and perhaps for some years to come," he added. "We should concentrate on what we can afford."

In thus emphasizing the limits of effective federal action, Tunney's recent record closely parallels Governor Brown's widely publicized skepticism of the benefits of government intervention. Brown's anti-government position, however, came into sharp focus only after his election. Tunney's should be no mystery when California Democrats go to the polls on June 8th. In that sense, the primary could be a referendum of sorts on how deeply the rank-and-file have come to distrust government.

The 1976 primary calendar

California will be among the last four states to conduct presidential primary elections this year. Delegate elections will be held in the District of Columbia and 29 states. Delegates will be chosen by convention in 22 states. That adds up to 51 states, plus the District of Columbia, because Louisiana falls into both columns; Democrats in Louisiana will have a primary, while the Republican delegates will be chosen by convention. The primary schedule:

February 24 – *New Hampshire.*
March 2 – *Massachusetts.*
March 9 – *Florida.*
March 16 – *Illinois.*
March 23 – *North Carolina.*
April 6 – *New York, Wisconsin.*
April 27 – *Pennsylvania.*
May 1 – *Texas.*
May 4 – *Alabama, District of Columbia, Georgia Indiana.*
May 6 – *Tennessee.*
May 8 – *Louisiana (Democrats only).*
May 11 – *Nebraska, West Virginia.*
May 18 – *Maryland, Michigan.*
May 25 – *Idaho, Kentucky Nevada, Oregon.*
June 1 – *Montana, Rhode Island, South Dakota.*
June 8 – *Arkansas, California, New Jersey, Ohio.*

Party-run, non-binding primaries will be held in Connecticut on May 11th, but delegates will be selected by caucus and convention.

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Brown's court legacy – a new breed on the bench

By RONALD BLUBAUGH

No public officials in California have received a bigger jolt than the judiciary from Governor Brown's always-attack-the-traditional approach to government. Long accustomed to having their way in the Capitol, the California bench was told last year that it is too much of a club for white males, is overpaid and underworked. During his first year in office, Governor Brown took some long steps toward changing all that.

While shunning the term "affirmative action", the Governor started a serious effort to change both the color and the sex of the California judiciary. During his first year in office, Brown appointed 57 judges; of these, 9 were Black, 9 were Mexican-American, 4 were of Asian ancestry, 6 were Caucasian women, and the rest were Caucasian males. The Governor also made clear his belief that the judiciary can no longer look forward to automatic additions of new judges every time the case filings go up. He waited more than seven months before naming the first judge and at the end of the year he had 38 vacancies still waiting to be filled (not counting the 34 legislatively created judgeships that came into existence January 1st). He thinks judges should work harder and be willing to develop innovative ways to cut the backlog of cases without adding to the cost of the judicial branch.

While the legal community will probably make the most noise about Brown's pinching of the pocketbook, the really big change he has started involves the kind of person elevated to the bench. The first appointees included a distinct sprinkling of night-law-school graduates, persons with practices in the inner-city neighborhoods, sole practitioners and attorneys with a legal-services background. To be sure, several had spent time in a district attorney's office and there were a couple of the traditional downtown bar-association types. But, on the whole, the new Brown judges are of a different breed than those put on the bench by Governor Ronald Reagan or by his predecessor, Brown's father.

If Jerry Brown spends eight years as governor, he probably will have appointed about two-thirds of the judges sitting when he leaves office. Assuming that he continues down the path he has started, Brown will leave behind a bench with a large number of minorities at every level. Because of the age and health of the incumbent members of the California Supreme Court, Brown will have appointed as many as four new members. At least one of these justices will doubtless be a minority-group person. Eight years of a Brown administration also would put far more women on the bench, possibly including the Supreme Court.

"We don't have an affirmative-action program in the sense of quotas," explains J. Anthony Kline, Brown's legal-affairs advisor, who personally screens all candidates for judgeships. "We don't have any goal to appoint a specific percentage of judges from minority communities or anything like that. All we are saying is that there are inordinately low numbers of minorities on the bench right now. In a state with the population characteristics of California, that is not right." Although he professes no intention to match the racial percentages in any community, Kline is aware of them. He notes that 25 percent of California's population is composed of Blacks and Chicanos. He observes that, in the criminal courts of California's large urban centers, "an inordinately large" number of persons accused of crimes are minority-group

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The case of Justice McComb

The state Commission on Judicial Qualifications is empowered to conduct inquiries and recommend censure, removal or disability retirement of California judges. The commission — composed of five judges, two attorneys and two public-members — now is handling perhaps the most delicate and difficult case since its creation in 1961: The 4,000-member Lawyers Club of San Francisco has asked the commission to investigate rumors that 81-year-old Marshall F. McComb is no longer able to perform his duties as an associate justice of the California Supreme Court.

Criticism against McComb apparently stems from members of the high court, speaking privately. The critics say that the Justice does not ask questions during oral argument and has even fallen asleep, that he does not participate fully in discussions of cases and that he does not write his share of the court's opinions.

McComb, a conservative and frequent dissenter, sees no reason why he should resign and feels that there may be a political motive to the investigation. He was appointed to the court in 1956 by Governor Goodwin J. Knight. One of the complications of the investigation is that the best testimony for or against McComb could be provided by the other six members of the court. But, should the commission recommend retirement or removal of McComb, the court would make the final decision. And justices could hardly be both witnesses and jurors in the same case. *E.S.*

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members. "That is one of the reasons there really must be an increasing number of minority judges."

Quality is right . . .

Bringing the number of minority-group judges more into line with the population will not be hard in the beginning. There are many qualified minority and female attorneys available. Kline says that it is "in a way shocking" that earlier governors did not appoint some of those persons to the bench.

As "Exhibit A", Kline cites the case of Bernard Jefferson, newly appointed justice to the 2nd District Court of Appeal in Los Angeles. Jefferson, a magna cum laude graduate of Harvard Law School, was a long-time Los Angeles County Superior Court Judge. He was the trial-court judge in *Serrano* v. *Priest,* the case that tested the constitutionality of California's system of school finance. He also authored the *California Evidence Benchbook*, which most trial judges keep handy. Jefferson, who is Black, was Brown's first appointee to an appellate court. "In a way, it is scandalous that Bernard Jefferson was not elevated to the appellate court a long time ago," says Kline. "I find the fact he spent so long on the Superior Court bench more remarkable than that Jerry Brown elevated him to the court of appeal."

While there are a certain number of Bernard Jeffersons around, ready for appointment to the bench or elevation to a higher court, the number of qualified attorneys from minority-group backgrounds is not limitless. Until very recently, the legal profession has been primarily an occupation of white males. There have always been women attorneys and non-whites, but their numbers did not and do not now approach the percentages of women and non-whites in the total population.

No statistics on the race and sex of the state's 49,000 lawyers are kept by the California Bar. A team of students at Golden Gate University School of Law counted female names on the list of lawyers in California and came up with a total of 5,000. Though statistics on minority-group lawyers are even more elusive, it is clear that they do not approach 25 percent and probably not more than 5 percent. And many of those are young lawyers who cannot yet meet the standard of having five years of practice required for appointment to the bench. After the obvious choices are named, Brown may not be able to keep up with the initial pace.

Kline's system for coming up with names of prospective judges almost inevitably will turn up a different kind of candidate than previous governors have considered. Kline, who has a background as a legal-services lawyer working for the poor, seeks recommendations from other legal-services lawyers. He also consults the district attorneys and the bar associations — traditional sources of recommendations — but he does not rely exclusively on such information.

Once the names are acquired, either through Kline's solicitations or from letters by the applicants themselves, the governor's office subjects the candidates to an unusual initial test. "We require all candidates to set forth in writing the amount of community work they have done," Kline says. "Have they represented indigent criminal defendants? Have they volunteered their services for non-profit community organizations that couldn't afford lawyers? Before we seriously consider anybody we want to get an idea of the amount of work they have devoted to the community without fee. We are trying to find people to put on the bench who have demonstrated by their actions rather than their words some commitment to supporting with their professional services those who cannot afford lawyers."

Greater diversity sought

Such requirements, Kline says, are aimed at producing a more diversified judiciary, one having a better balance of political, social and economic views. He says it is not his intent to criticize the present judges in California because the California judiciary is the best in the country. But he believes them to be not representative of the diverse population in the state.

If Brown is in office for eight years, Kline believes, the bench left behind will be one showing more imagination in sentencing and a greater openness to alternatives to civil litigation. He thinks that community service should be considered as an alternative to jail in some cases and that arbitration and other out-of-court techniques of settlement are often better than a costly civil trial. "Californians are clearly the most litigious group of people in the world," Kline says. "Nobody goes to court more frequently than California citizens, which is the principal reason we have such a large judicial system."

No-growth judiciary

If Brown's minority and female judges do show a greater imagination in sentencing and in seeking alternatives to trials, the Governor will have achieved another of his goals: stopping what has been an annual increase in the size of the judiciary. Brown's waiting seven months before starting to name judges was done deliberately to get the judicial branch of government to begin thinking about more efficient ways of doing business. "The Governor is unwilling, without further proof, to accept the proposition that the best way to clear court congestion is to throw more judges into the system," Kline says. "In a way, judges are like freeways. If you build more freeways, people will use them. If you appoint more judges and it is easier to get into court, more people will go to court."

The salary issue has caused some legislators to do a slow burn in the last few years. Judges used to lobby for a pay raise each year, the same as other state workers. On the theory that a built-in cost-of-living mechanism would eliminate the need for judges to be bothering the Legislature every year, the change was enacted. But rampant inflation caused the Consumer Price Index to zoom and judicial salaries have increased far faster than those of the governor, legislators or any other state employee. The salaries presently range from $41,677 for municipal-court judges to the $61,609 received by Chief Justice Donald Wright.

Kline calls it "nonsense" to assert that the quality of justice in California is tied to the salaries of judges. The Governor, he said, would support elimination of the automatic pay-increase provision. "I don't believe that those attorneys who are best qualified are likely to be dissuaded because of low salaries," Kline commented.

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SAN FRANCISCO'S MAYOR MOSCONE

How a liberal city nearly went conservative

By Jerry Burns

San Francisco's first experiment with a run-off system for choosing a mayor by majority vote produced a surprising primary, a controversial second ballot and election of the most liberal mayor in at least 40 years. The net result of a ten-week campaign between five major candidates and a five-week campaign between the two top finishers in the primary was a very narrow victory for Democratic state Senator George Moscone and a major foothold in City Hall for environmentalists, neighborhood leaders and others who have been excluded in the past from the seats of power in San Francisco. Moscone acted quickly to ensure that his administration could not be construed as a mere continuation of business-as-usual at City Hall.

The 1975 mayoral election was the city's first use of a run-off system for mayor adopted by the voters in 1973. The City Charter amendment decreed that the two top finishers in the regular election November 4th would face off on December 11th — unless one candidate for mayor won a clear majority in the first election. The Board of Supervisors proposed the change because recent mayors — most notably Joseph L. Alioto — had won the city's top office with less than a majority. (Alioto won both his terms with less than 40 percent of the vote.) A relatively inconspicious provision specifying that only mayoral candidates could be on the run-off ballot proved important in the new law's first use.

The primary race attracted some of the city's biggest political names in a contest to become Alioto's successor: Moscone, 46, liberal, former supervisor, majority leader in the state Senate, close ally of the Phil Burton-John Burton-Willie Brown political confederation; Dianne Feinstein, 42, twice president of the Board of Supervisors, moderate-liberal, once-defeated candidate for mayor (1971); John Ertola, 48, moderate-conservative, former president of the Board of Supervisors, judge of the Superior Court; John Barbagelata, 56, conservative, member of the Board of Supervisors, realtor; Milton Marks, 55, moderate, member of the state Senate, former member of the Assembly. [See "San Francisco's mayoral race," *CJ*, October 1975.] Political experts agreed that Moscone would win a place in the run-off and some few even felt that his attractiveness as a candidate, combined with the proven ability of the Burtons and Brown to get out the city's minority voters on the side of their candidate, would put him over in the primary. Most observers picked Feinstein to finish second, based on her two successful campaigns for supervisor, in 1969 and 1973, when she finished first in crowded fields. (They tended to dismiss her dismal third-place finish in the 1971 race for mayor.)

Spending limits

The 1975 mayoral election was also the first to impose San Francisco's new campaign-spending limits on the candidates. Again, it was a new law enacted in large measure as a reaction to Joseph Alioto, who spent at least $500,000 on his 1971 campaign. For 1975, under a formula setting a ceiling pegged to the number of persons who voted in the city in the last presidential election, a limit of around $130,000 was imposed on each candidate, with no provision for run-off expenses for the top two finishers. This may have done in Feinstein, whose strategists chose to hold back on expenses during the primary, based on the belief that she could finish no worse than second. The Moscone camp, on the other hand, invested heavily in the primary and found itself nearly at the spending limit as the run-off campaign started.

Only Barbagelata correctly sensed that the public was still seething over last fall's strike of San Francisco's fire fighters and police offices. He put several City Charter amendments on the November ballot to punish the former strikers by eliminating some of the special privileges San Francisco voters had given public-safety workers in friendlier days, and all easily passed. Barbagelata also ran a highly personal campaign, one with both positive and negative aspects. On the positive side, he constantly called attention to his efforts against higher wages for city workers and, while his repetition of the personal pronoun "I" in connection with these irked his 10 colleagues on the Board of Supervisors, it proved effective on the campaign trail.

Barbagelata also took aim at Feinstein, whom he lumped in with the "spenders" at City Hall, and to a lesser extent at Moscone, whom he accused of being the candidate of the "Burton machine". The decision to aim the campaign fire at Feinstein was based on the assessment — correct, as it happened — that he couldn't knock Moscone out of the run-off but that Feinstein was vulnerable.

But Barbagelata's hidden strength lay in the city's middle-class suburbs west of Twin Peaks. Barbagelata — one of two Republicans in the non-partisan race (the other was Senator Marks) — was generally expected to do well in the city's wealthier Republican precincts, but it was generally assumed that he would have to share Republican votes with Marks and share middle-class, home-owner votes with Judge Ertola, whose name blossomed on house signs sprinkled throughout Sunset and Richmond districts flanking Golden Gate Park. (As it turned out, however, a good many of the voters living behind those signs must have voted for Barbagelata.) While the other major candi-

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The author, who covers City Hall for the San Francisco Chronicle, *wrote "Mayor of San Francisco – the job nobody should want" in the October 1975* Journal.

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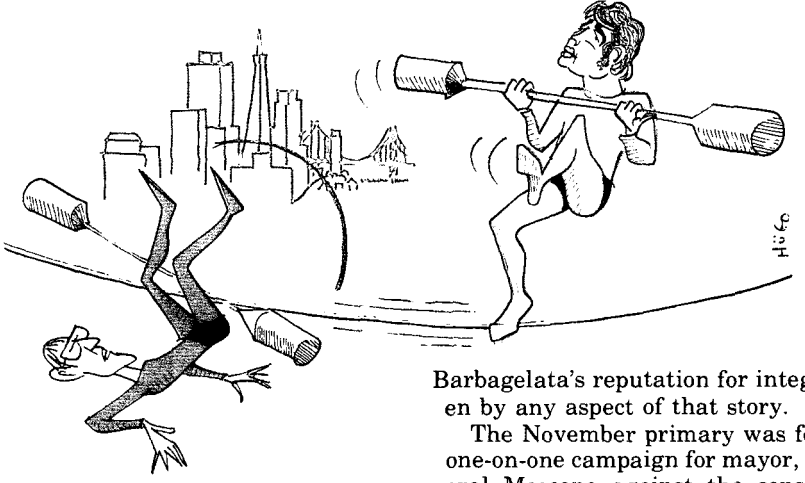

dates campaigned out of downtown offices, with professional campaign managers, Barbagelata ran his own campaign out of a former roller-rink on the west side, organized a huge volunteer phone campaign and finished a surprising second to Moscone in the primary, edging Feinstein by 1,330 votes. (The breakdown: Moscone 66,752 votes, Barbagelata 40,933, Feinstein 39,603, Ertola 30,482, and Marks 28,182.)

Barbagelata's second-place finish has been seen as a sign of a conservative wave abuilding in a liberal city. True, had he won the run-off he would have been the city's most conservative mayor in memory, but his success in the primary also stemmed from a series of unusual events: The police-fire strike was still fresh in the minds of the voters, who had every reason to consider Barbagelata the candidate who could best punish the former strikers; the highest property-tax bills in city history had been delivered just before the election to city homeowners, who thought of Barbagelata as the candidate who most opposed city expenditures; and the voters were reading every day in the newspapers about possibilities of voter fraud, and Barbagelata's reputation for integrity seemed least shaken by any aspect of that story.

The November primary was followed by the city's first one-on-one campaign for mayor, pitting the politically liberal Moscone against the conservative Barbagelata. If anything became clear during the five weeks between November 4th and December 11th, it was that Moscone, the liberal, was moving to the right in his statements in an effort to insure a run-off victory. Even though he had comfortably led Barbagelata in the first round, he was aware that Barbagelata was bound to get the lion's share of the Ertola and Marks votes and whatever conservative votes had been cast for Feinstein. Moscone attempted to change his image as a big-spender by talking about severe budget cuts, the elimination of waste in city government and his intention to fire city workers who strike in the future.

Barbagelata campaigned furiously in an effort to portray Moscone as a free-spending liberal. He even wanted to put further City Charter amendments to roll back benefits for city workers on the run-off ballot — in order to force Moscone to pick between his labor-union supporters and his new get-tough image — but he was blocked by a provision of the new run-off law that barred adding anything to the ballot. In the end, Moscone won by a margin of some 4,400 votes out of nearly 200,000 cast.

The election controversy didn't end on election day, however. Immediately after the results were certified, Barbagelata demanded a recount, which he paid for at the

Mr. Nice-Guy at City Hall

There were political friends of George Moscone who were at least half-hoping that he would lose his race for mayor. They just hated to see him leave Sacramento. In nine years as a member of the state Senate, the 46-year-old Moscone made remarkably few enemies. And not because he was afraid to speak his mind or take the lead in promulgating controversial legislation. He is a master of the art of being able to disagree without being disagreeable.

Moscone developed many a personal friendship with a political enemy. As a debater, he had few equals in the Legislature. He was invariably on the liberal side of each issue; yet minutes after he was through speaking he might be seen talking to a Republican colleague about a little wager on an upcoming basketball game.

The new Mayor was thrust into the role of Democratic spokesman in the Senate only a year after his arrival by the late Senator George Miller Jr. of Contra Costa County, father of the present Congressman and then perhaps the most powerful man in the Senate. Miller recognized Moscone's potential and also saw him as someone from the Phil Burton organization in San Francisco who would not come under the influence of Miller's arch-rival, Jesse Unruh, then speaker of the Assembly.

One of the few legislators with whom Moscone had something other than a cordial relationship is the current speaker, Leo McCarthy of San Francisco. McCarthy and Moscone ran against each other in 1963 for supervisor, and Moscone emerged as the loser in a rough contest that left a lingering animosity between the two. But practical politics has a way of making the enemies of yesterday the allies of today, and McCarthy sent his troops into battle for Moscone in the mayoralty run-off against Republican John Barbagelata.

Nice-guy Moscone has his personal flaws and his political limitations. For example, his inability to attack an opponent's jugular was apparent during his brief fling at the Democratic nomination for governor in 1974. This lack of hardness may have shown during the race against Barbagelata. And this raises the question of whether Moscone will muster the kind of toughness needed to rule a city of the unruly. *E.S.*

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rate of $1,250 a day. The recount varied only slightly from the election-night totals, but Barbagelata claimed that the recount process didn't go far enough and last month was talking about court action to dig deeper.

Senate vacancy

At noon on January 8th, as required by law, the new mayor of San Francisco was sworn in.

Moscone's victory also put his former seat in the state Senate up for grabs on May 11th, and lots of hands were raised toward it, including those of Supervisors Bob Mendelsohn, a Democrat, and John Molinari, a Republican; Assemblymen Louis Papan and John F. Foran, both Democrats; and former San Mateo County Supervisor Bob St. Clair, a Republican. The 6th Senate District, which includes the southwestern and south-central portions of San Francisco, also includes a sizable portion of San Mateo County, though most of the voters live in its San Francisco section. For that reason, and because the Bay Area media tend to publicize them and ignore San Mateo legislators, the two San Francisco supervisors who might make the race are considered the early favorites. The fact that the district is 65 percent Democratic in voter registration should assure no partisan change.

Though many Democrats floated rumors that they might make the race immediately after Moscone was elected mayor, the party leadership will likely insist that only one major Democrat enter. Mendelsohn, who ran unsuccessfully for statewide nomination to run for controller in 1974 and was re-elected supervisor last November, would have to move back into the district to make the race for Moscone's seat. If Foran decided to run, it would open his seat in the Assembly to an expected battle between Supervisor Robert Gonzales and Arthur Agnos, administrative assistant to Assembly Speaker Leo McCarthy.

Meanwhile, Moscone was filling city commissions with members of his constituency, including minority group members, "no-growthers", "open spacers" and others from the city's liberal community.

During the campaign, Moscone promised to overhaul the Alioto administration. He told audiences unhappy with decisions by the city's various commissions that he would replace the Alioto appointees with his own people; and, as soon as he was elected, he set out to do just that. First, Mayor Moscone informed the relatively few commissioners who serve strictly at the mayor's pleasure (such as the Police and Fire Commissions) that he wanted their resignations. At the same time, he sent out letters to the hundred or so other commissioners having term appointments that he would appreciate their voluntary resignations. (Some complied, but most are waiting the new mayor out.) Second, Moscone threw open all appointments and invited citizens from every walk of life to apply for them — something that no recent mayor had done.

The new mayor appointed a screening committee to look at the hundreds of applications and make recommendations to him for various commissions. As head of the committee he named Jack Morrison, once the most liberal member of the Board of Supervisors and once (in 1967) an unsuccessful candidate for mayor. Members of the committee, which had a decidedly liberal cast, included a number of neighborhood and minority persons who had not had a voice in the Alioto administration.

New faces of 1976

It was clear from his actions in the first few days in office that Mayor Moscone intends to fill his commissions with people different from Alioto's appointees, who tended to be moderate Democrats and Republicans generally supportive of economic growth and the continuation of existing policies. From the new mayor's first important appointment — of Charles Gain as police chief — it also seemed certain that Moscone intended to look for people who had strong opinions and weren't afraid of questioning long-standing assumptions. And he went even farther later last month in asking 118 higher-level employees to submit their resignations pending his analysis of their effectiveness. His announced goal: "Bring a new team of administrators to serve the people."

What was far from certain was whether the new faces of 1976 could actually change city government to any appreciable extent or whether they would simply be stalemated and by-passed by the deeply entrenched army of civil servants. And what will happen when those public employees seek to bargain collectively with the former Senate liberal who squeaked into office by sounding more and more like a recent convert to Jerry Brown's "small is beautiful" philosophy?

ROSTRUM

continued from page 44

questionable program performance, the inter-relationship of the ECE program with proposed *Serrano* solutions, and the Department of Education's Evaluation Report of Program Operation, which shows that the ECE program was no more successful than other programs that provide supplementary funds for pupils in grades K-3. He also points out that instead of the $400,000 allocated directly for administration of the program it cost a total of $1.3 million to administer. In another analysis by Mr. Post his findings indicate that the evaluation by the department does not attempt to compare the ECE schools' performance in grades K-3 to that of other non-ECE schools of similar socio-economic characteristics. The analysis further states that with the selective process of choosing schools that are highly motivated for the ECE program these schools should experience higher achievement due to the Hawthorne Effect. However, the state's evaluation does not report data in a form that would be useful in this analysis.

The article skirts criticisms by Forest Harrison, Arlene Fink and Ralph Hoephner, and then goes on and details a comment by Alex Law. If I worked for the state Department of Education I would be hard pressed not to be enthusiastic about a program with so much emphasis and publicity as Early-Childhood Education. Should an unbiased agency do a detailed study of ECE it would find it to be another program where millions of dollars have been expended for record keeping and evaluation, where it would have gone into program implementation if left to the individual school district to implement.

Furthermore, those of us who have been involved in the time-consuming mish-mash of paper work and the unreliability of evaluation feel very strongly that these same monies could be better utilized on programs that have been well-planned and well-developed within each individual community. Most districts, however, will continue participating because someone in their omniscience has determined that this is the manner in which our tax dollars are to be spent. But many of us will continue resisting the tight controls and mandates that are imposed on districts receiving these dollars for educating our students. It could be done much better at the local level.

WILLIAM H. POLLARD
Superintendent
Salinas City School District

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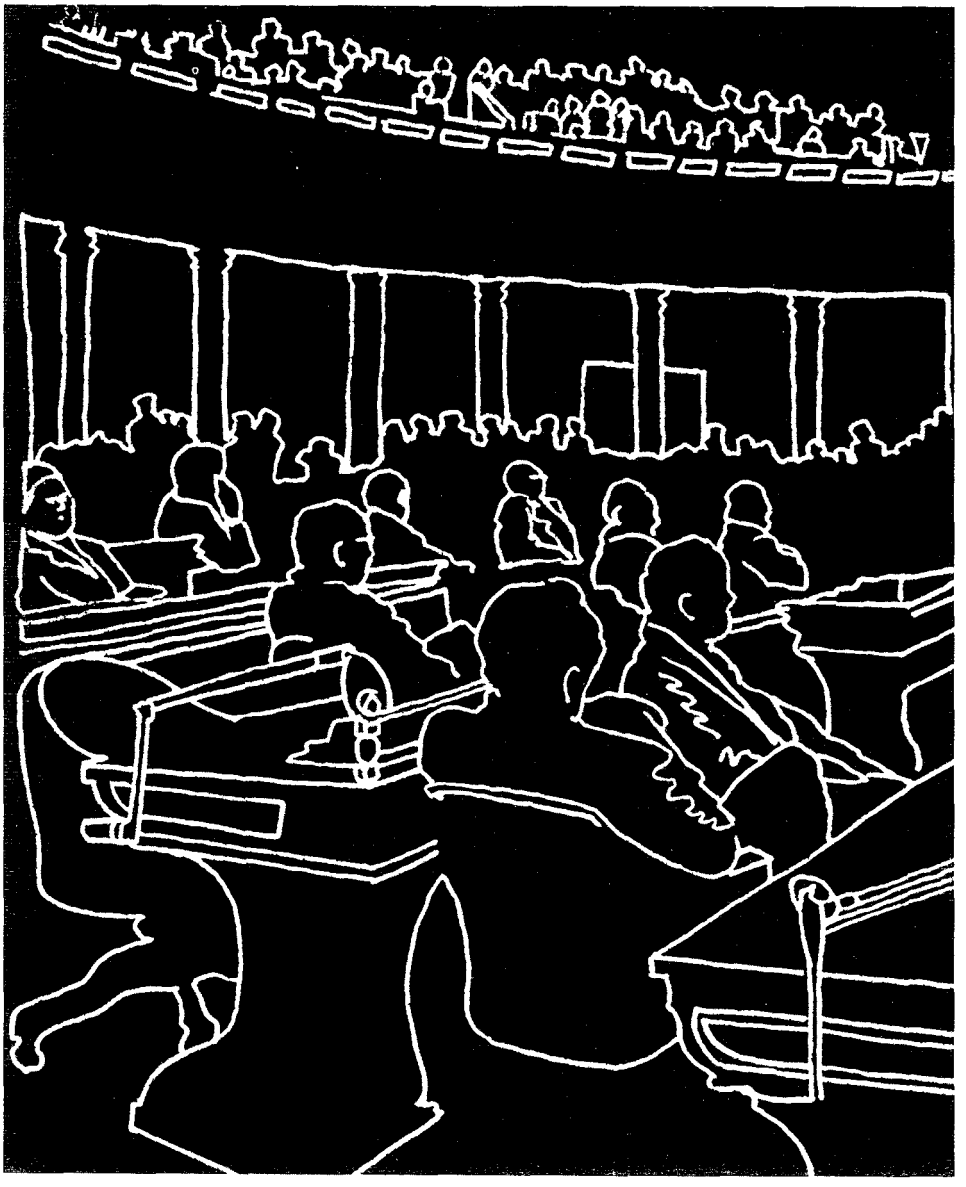

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Burton, Phillip	D	6	Most of San Francisco	450 Golden Gate Ave., San Francisco 94102	(415) 556-4862
Clausen, Donald H.	R	2	Del Norte, Humboldt, Lake, Mendocino, Napa, part of Sonoma	306 Mendocino Ave., Santa Rosa 95404	(707) 545-8844
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Patterson, Jerry	D	38	Orange (Buena Park, Westminster, Santa Ana)	1200 N. Main St., Santa Ana 92701	(714) 835-3811
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Smith, Jerry	D	12	Santa Clara	2185 The Alameda, San Jose 95126	(408) 984-7290	445-3104
Song, Alfred H.	D	26	Los Angeles	2337 S. Garfield Ave., Monterey Park 91754	(213) 724-3825	445-3386
Stevens, Robert S.	R	25	Los Angeles	1245 Glendon Ave., Los Angeles 90024	(213) 473-2147	445-6747
Stiern, Walter W.	D	16	Inyo, Kern, Los Angeles, San Bernardino	930 Truxtun Ave., Bakersfield 93301	(805) 323-7594	445-6637
Stull, John	R	38	Imperial, Riverside, San Diego	105 N. Rose St., Escondido 92027	(714) 743-8338	445-3731
Way, Howard	R	15	Fresno, Inyo, Madera, Mariposa, Merced, Mono, Tulare	P.O. Box 724, Exeter 93221	(209) 592-3571	445-6447
Wedworth, James Q.	D	31	Los Angeles	3700 Pacific Coast Hwy., Torrance 90505	(213) 373-7356	445-2848
Whetmore, James	R	35	Los Angeles, Orange	300 S. Harbor Blvd., Anaheim 92805	(714) 558-4266	445-4264
Zenovich, George N.	D	14	Fresno, Madera, Mariposa, Merced, Stanislaus	1060 Fulton Mall, Fresno 93721	(209) 485-6260	445-9600
(Vacant in February)		6	San Francisco, San Mateo	540 Van Ness Ave., San Francisco 94102	(415) 557-3965	445-0503

*During session, mail for senators may be addressed to the State Capitol, Sacramento 95814.

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Assembly

Name	Party	District	Counties	Main District Offices*	Telephone Numbers (District)	(Capitol)
Alatorre, Richard	D	55	Los Angeles (East Los Angeles)	5916 N. Figueroa St., Los Angeles 90042	(213) 255-7111	445-7587
Antonovich, Mike	R	41	Los Angeles (Burbank, Glendale)	512 E. Wilson Ave., Glendale 91206	(213) 240-6330	445-8364
Arnett, Dixon	R	20	San Mateo (southern)	680 Warren St., Redwood City 94063	(415) 364-0260	445-8188
Badham, Robert E.	R	74	Orange (Newport Beach), part of San Diego	1649 Westcliff Dr., Newport Beach 92660	(714) 645-0074	445-7222
Bane, Tom	D	40	Los Angeles (N. Hollywood, Van Nuys, Reseda)	5430 Van Nuys Blvd., Van Nuys 91401	(213) 986-8090	445-3134
Bannai, Paul T.	R	53	Los Angeles (Hawthorne, Gardena)	1919 W. Redondo Beach Blvd., Gardena 90247	(213) 327-5920	445-0965
Berman, Howard	D	43	Los Angeles (Beverly Hills, Westwood)	13719 Ventura Blvd., Sherman Oaks 91423	(213) 990-2070	445-4956
Beverly, Robert G.	R	51	Los Angeles (South Bay)	1611 S. Pacific Coast Hwy., Redondo Beach 90277	(213) 540-1611	445-2112
Boatwright, Daniel	D	10	Contra Costa (eastern)	1035 Detroit Ave., Concord 94518	(415) 689-1973	445-8528
Briggs, John V.	R	69	Orange (Fullerton, Anaheim)	1400 N. Harbor Blvd., Fullerton 92632	(714) 879-2345	445-7448
Brown, Willie L., Jr.	D	17	San Francisco	540 Van Ness Ave., San Francisco 94102	(415) 557-0784	445-8077
Burke, Robert H.	R	73	Orange (Huntington Beach, Costa Mesa)	17732 Beach Blvd., Huntington Beach 92647	(714) 842-1494	445-8377
Calvo, Victor	D	21	Santa Clara (northwestern) part of San Mateo	2570 El Camino Real West Mountain View 94040	(415) 941-4640	445-7632
Campbell, William	R	64	Los Angeles (Whittier, La Mirada)	7624 Painter Ave., Whittier 90601	(213) 693-8284	445-7550
Carpenter, Paul B.	D	71	Orange (Buena Park, Westminster)	12062 Valley View Garden Grove 92645	(714) 893-1388	445-6233
Chacon, Peter R.	D	79	San Diego (City of San Diego, Coronado)	5106 Federal Blvd., San Diego 92105	(714) 263-2148	445-7610
Chappie, Eugene	R	3	Colusa, Sutter, Yuba, Sierra Nevada, Placer, half of Butte	438 Colusa Highway, Yuba City 95991	(916) 673-2201	445-7298
Chel, Fred	D	58	Los Angeles (Long Beach)	2750 Bellflower St., Long Beach 90815	(213) 420-2471	445-8492
Chimbole, Larry	D	34	Inyo, parts of Kern, Los Angeles, San Bernardino	807 West Avenue J, Lancaster 93534	(805) 948-8447	445-3266
Cline, Robert C.	R	37	Los Angeles (San Fernando Valley), part of Ventura	19240 Nordhoff St., Northridge 91324	(213) 349-3333	445-7676
Collier, John L.E.	R	61	Los Angeles (San Gabriel, Arcadia)	501 S. First Ave., Arcadia 91006	(213) 446-6158	445-7234
Craven, William	R	76	San Diego (La Jolla, Del Mar)	550 W. Broadway, Vista 92083	(714) 726-7676	445-2390
Cullen, Mike	D	57	Los Angeles (Long Beach)	444 W. Ocean Blvd., Long Beach 90802	(213) 435-4404	445-7454
Davis, Pauline	D	1	Siskiyou, Trinity, Shasta, Modoc, Tehama, Glenn, Lassen, Plumas, half of Butte	P.O. Box 1071 Portola 96122	(916) 832-5013	445-7266
Deddeh, Wadie P.	D	80	San Diego (National City, Chula Vista)	815 3rd Ave., Chula Vista 92011	(714) 427-7077	445-7556
Dixon, Julian	D	49	Los Angeles (Culver City)	2907 W. Vernon Ave., Los Angeles 90008	(213) 295-4226	445-8800
Duffy, Gordon	R	32	Kings, most of Tulare, part of Kern	321 N. Douty, Hanford 93230	(209) 582-4431	445-2931
Egeland, Leona H.	D	24	San Benito, Santa Clara (rural)	3535 Ross Ave. San Jose 95124	(408) 269-6500	445-8243
Fazio, Vic	D	4	Yolo, parts of Solano and Sacramento	1000 Webster St. Fairfield 94533	(707) 492-2383	445-8368
Fenton, Jack R.	D	59	Los Angeles (Alhambra, Monterey Park)	1601 W. Beverly Blvd., Montebello 90640	(213) 724-3400	445-0854
Foran, John F.	D	16	San Francisco	350 McAllister St., San Francisco 94102	(415) 557-2253	445-8253
Garamendi, John	D	7	El Dorado, Amador, Alpine, Calaveras, Mono, Tuolumne, parts of Sacramento and San Joaquin	218 W. Pine St., Lodi 95240	(209) 334-0568	445-8343
Goggin, Terry	D	66	San Bernardino (urban)	515 N. Arrowhead Ave., San Bernardino 92401	(714) 884-1241	445-4843
Greene, Leroy F.	D	6	Sacramento	5738 Marconi Ave., Carmichael 95608	(916) 483-2738	445-7807
Gualco, Eugene T.	D	5	Sacramento	4017 State Capitol, Sacramento 95814	(916) 445-4445	445-4445
Hart, Gary	D	35	Most of Santa Barbara	1129-B State St., Santa Barbara 93101	(805) 966-1766	445-8292
Hayden, Richard D.	R	22	Santa Clara (southern)	21060 Homestead Road, Cupertino 95014	(408) 446-4114	445-8305
Hughes, Teresa P.	D	47	Los Angeles (Huntington Park)	3253 S. Hoover Ave., Los Angeles 90017	(213) 747-7451	445-7498
Ingalls, Walter	D	68	Riverside (urban)	3610 Central Ave., Riverside 92506	(714) 781-3222	445-1720
Kapiloff, Lawrence	D	78	San Diego (Mission Hills, Linda Vista)	424 Pennsylvania Ave., San Diego 92103	(714) 299-5577	445-7210

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Assembly (continued)

Name	Party	District	Counties	Main District Address*	Telephone Numbers (District)	(Capitol)
Keene, Barry	D	2	Del Norte, Humboldt, Mendocino, Lake, Sonoma (northern)	533 G St., Eureka 95501	(707) 443-4816	445-8360
Keysor, Jim	D	39	Los Angeles (eastern San Fernando Valley)	309 S. Maclay St., San Fernando 91340	(213) 361-1233	445-8430
Knox, John T.	D	11	Contra Costa (western)	3607 Macdonald Ave., Richmond 94805	(415) 237-8171	445-7890
Lancaster, William	R	62	Los Angeles (Covina, Claremont)	372 E. Rowland Ave., Covina 91723	(213) 332-6271	445-9234
Lanterman, Frank	R	42	Los Angeles (Pasadena, Glendale)	106-A S. Los Robles, Pasadena 91101	(213) 449-4747	445-8211
Lewis, Jerry	R	67	San Bernardino, Riverside (rural)	101 S. 6th St., Redlands 92373	(714) 886-5201	445-7552
Lockyer, Bill	D	14	Alameda (central)	14895 E. 14th St., San Leandro 94578	(415) 464-0847	445-8160
MacDonald, Ken	D	36	Most of Ventura	3212 Loma Vista Rd., Ventura 93003	(805) 648-5328	445-7402
Maddy, Kenneth L.	R	30	Madera, Mariposa, part of Fresno	1221 Van Ness Ave., Fresno 93721	(209) 485-5221	445-7558
McAlister, Alister	D	25	Santa Clara (northeastern), part of Alameda	1595 E. Santa Clara St., San Jose 95116	(408) 272-0221	445-7874
McCarthy, Leo T.	D	18	San Francisco, part of San Mateo	350 McAllister St., San Francisco 94102	(415) 557-2662	445-8994
McLennan, Robert M.	R	63	Los Angeles (Downey, Norwalk)	8201 4th St., Downey 90241	(213) 869-2451	445-6047
McVittie, Bill	D	65	Los Angeles (Pomona) and San Bernardino (Ontario)	1063 W. 6th St., Ontario 91762	(714) 983-2757	445-8490
Meade, Ken	D	12	Alameda (northern), part of Contra Costa	3923 Grand Ave., Oakland 94610	(415) 464-0786	445-7554
Miller, John J.	D	13	Alameda (northwestern)	5801 Christie St., Emeryville 94608	(415) 653-2424	445-7442
Mobley, Ernest N.	R	31	Most of Fresno, part of Tulare	600 W. Shaw, Fresno 93704	(209) 224-5293	445-8514
Montoya, Joe	D	60	Los Angeles (El Monte, La Puente)	3617 Monterey Ave., El Monte 91731	(213) 968-1544	445-7783
Mori, S. Floyd	D	15	Alameda (southern, eastern)	225 W. Winton Ave., Hayward 94544	(415) 783-6377	445-7380
Murphy, Frank	R	28	Santa Cruz, part of Monterey	215 W. Franklin St., Monterey 93940	(408) 373-0773	445-8496
Nestande, Bruce	R	70	Orange (City of Orange, Tustin)	648 N. Tustin Ave., Orange 92667	(714) 633-7460	445-2778
Nimmo, Robert P.	R	29	San Luis Obispo, parts of Monterey, Santa Barbara	1011 Pacific St., San Luis Obispo 93401	(805) 544-2274	445-7795
Papan, Louis J.	D	19	San Mateo (northern)	343-E Serramonte Plaza Daly City 94015	(415) 756-6400	445-8020
Perino, Carmen	D	26	Parts of San Joaquin and Stanislaus	31 E. Channel St., Stockton 95202	(209) 948-7479	445-7931
Priolo, Paul	R	38	Los Angeles (Malibu Coast), part of Ventura	4883 Topanga Canyon Blvd., Woodland Hills 91364	(805) 497-4334	445-8366
Ralph, Leon	D	48	Los Angeles (Watts, South Gate)	9512 S. Central Ave., Los Angeles 90002	(213) 567-8892	445-2363
Robinson, Richard	D	72	Orange (Santa Ana, Garden Grove)	822 N. Broadway, Santa Ana 92701	(714) 835-4727	445-7333
Rosenthal, Herschel	D	45	Los Angeles (Fairfax, Studio City)	8455 Beverly Blvd., Los Angeles 90048	(213) 655-9750	445-7440
Siegler, Alfred C.	D	8	Napa, parts of Sonoma and Solano	920 College Ave., Santa Rosa 95404	(707) 542-4433	445-8102
Sieroty, Alan	D	44	Los Angeles (Beverly Hills)	11340 W. Olympic Blvd., Los Angeles, 90064	(213) 479-4244	445-7928
Suitt, Tom	D	75	Imperial, desert parts of Riverside, San Diego	115 S. Indiana Ave., Palm Springs 92262	(714) 325-1139	445-7852
Thomas, Vincent	D	52	Los Angeles (San Pedro)	255 W. 5th St., San Pedro 90731	(213) 833-2881	445-7906
Thomas, William M.	R	33	Most of Kern	2025 18th St., Bakersfield 93301	(805) 323-3146	445-8498
Thurman, John E.	D	27	Most of Stanislaus and Merced	930 15th St., Modesto 95354	(209) 521-1111	445-8570
Torres, Art	D	56	Los Angeles (downtown, City of Commerce)	5261 E. Beverly Blvd., Los Angeles 90022	(213) 728-8882	445-1670
Tucker, Curtis R.	D	50	Los Angeles (Inglewood, Westchester)	1 Manchester Blvd., Inglewood 90301	(213) 677-1188	445-7533
Vasconcellos, John	D	23	Santa Clara (urban)	2435 Forest Ave., San Jose 95128	(408) 241-6900	445-4253
Vicencia, Frank	D	54	Los Angeles (Compton)	8040 E. Alondra, Paramount 90723	(213) 531-0265	445-7486
Warren, Charles	D	46	Los Angeles (Wilshire, Silver Lake)	1411 W. Olympic Blvd., Los Angeles 90015	(213) 386-8042	445-7644
Wilson, Bob	D	77	San Diego (La Mesa, El Cajon)	8133 Engineer Rd., San Diego 92111	(714) 442-4464	445-6161
Wornum, Michael	D	9	Marin, part of Sonoma	21 Tamal Vista, Corte Madera 94925	(415) 924-8850	445-7827

*During legislative session, mail for assemblymen may be addressed to the State Capitol, Sacramento 95814.

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Legislative leadership

Leo McCarthy

Assembly

Speaker Leo McCarthy (D)
Speaker pro Tempore John Knox (D)
Majority Floor Leader Howard Berman (D)
Minority Floor Leader Paul Priolo (R)
Democratic Caucus Chairman Julian Dixon
Republican Caucus Chairman Eugene Chappie

Senate

President of the Senate Lt. Governor Mervyn Dymally (D)
President pro Tempore James Mills (D)
Majority Floor Leader David Roberti (D)
Minority Floor Leader George Deukmejian (R)
Democratic Caucus Chairman John Dunlap
Republican Caucus Chairman Dennis Carpenter

James Mills

Senate standing committees

Rules (3D, 2R):
Chairman Mills (D); Vice Chairman Stevens (R); Berryhill (R); Kennick (D); Petris (D).
Executive officer John Williamson; phone 445-4311; room 5100.

Agriculture and Water Resources (4D, 5R):
Chairman Way (R); Vice Chairman Berryhill (R); Ayala (D); Nejedly (R); Presley (D); Richardson (R); Stiern (D); Stull (R); Zenovich (D).
Consultant Paul K. Huff; phone 445-2206; room 2037.

Business and Professions (5D, 4R):
Chairman Schrade (R); Vice Chairman Roberti (D); Beilenson (D); Deukmejian (R); Greene (D); Marks (R); Rains (D); Song (D); Whetmore (R).
Consultant James Cathcart, phone 445-3435, room 2044.

Education (7D, 4R, 1 vacancy at time of publication):
Chairman Rodda (D); Vice Chairman Stull (R); Alquist (D); Behr (R); Dunlap (D); Gregorio (D); Grunsky (R); Richardson (R); Smith (D); Stiern (D).
Consultant Gerald Hayward, phone 445-2522, room 2207.

Elections and Reapportionment (5D, 2R):
Chairman Rains (D); Vice Chairman Richardson (R); Carpenter (R); Garcia (D); Greene (D); Gregorio (D); Holden (D).
Consultant James Browning, phone 445-2601, room 5082.

Finance (8D, 5R):
Chairman Beilenson (D); Vice Chairman Grunsky (R); Alquist (D); Behr (R); Carpenter (R); Collier (D); Cusanovich (R); Holmdahl (D); Petris (D); Roberti (D); Rodda (D); Stiern (D); Way (R).
Phone 445-5202, room 5052.

Governmental Organization (7D, 4R):
Chairman Dills (D); Vice Chairman Dunlap (D); Collier (D); Cusanovich (R); Deukmejian (R); Gregorio (D); Grunsky (R); Kennick (D); Wedworth (D); Whetmore (R); Zenovich (D).
Consultant Lindsay Miller, phone 445-1193, room 5046.

Health and Welfare (5D, 3R, 1 vac.):
Chairman Gregorio (D); Vice Chairman Whetmore (R); Beilenson (D); Dills (D); Garcia (D); Holden (D); Marks (R); Schrade (R).
Consultant William Barnaby, phone 445-5965, room 4038.

Industrial Relations (4D, 3R):
Chairman Zenovich (D); Vice Chairman Robbins (D); Cusanovich (R); Greene (D); Presley (D); Russell (R); Stull (R).
Consultant William Montgomery, 445-1237, room 2183.

Insurance and Financial Institutions (5D, 4R):
Chairman Behr (R); Vice Chairman Stevens (R); Carpenter (R); Collier (D); Rains (D); Russell (R); Stiern (D); Wedworth (D); Zenovich (D).
Consultant Terry Miller, phone 445-6306, room 2193.

Judiciary (6D, 4R, 1 vac.):
Chairman Song (D); Vice Chairman Petris (D); Carpenter (R); Deukmejian (R); Grunsky (R); Presley (D); Rains (D); Robbins (D); Roberti (D); Stevens (R).
Consultant Bion Gregory, phone 445-5957, room 2046.

Local Government (4D, 3R):
Chairman Marks (R); Vice Chairman Presley (D); Ayala (D); Greene (D); Holden (D); Nejedly (R); Stull (R).
Consultant Stephen Taber, phone 445-9748, room 2045.

Natural Resources and Wildlife (6D, 3R):
Chairman Nejedly (R); Vice Chairman Ayala (D); Behr (R); Berryhill (R); Dills (D); Dunlap (D); Rodda (D); Smith (D); Wedworth (D).
Consultant Robert Testa, phone 445-5441, room 2203.

Public Employment and Retirement (3D, 2R):
Chairman Wedworth (D); Vice Chairman Russell (R); Kennick (D); Robbins (D); Schrade (R).
Consultant Robert Bissonette, phone 445-8958, room 2191.

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Senate committee schedule

Monday		
Finance	Room 5007	9:30 a.m. & 1:30 p.m.*
Local Government	Room 4203	1:30 p.m.*
Public Employment and Retirement	Room 2040	1:30 p.m.**
Tuesday		
Judiciary	Room 4203	9:30 a.m. & 1:30 p.m.*
Public Utilities, Transit, and Energy	Room 2040	9:30 a.m.**
Transportation	Room 2040	9:30 a.m.***
Natural Resources and Wildlife	Room 5007	9:30 a.m.***
Governmental Organization	Room 5007	1:30 p.m.*
Agriculture and Water Resources	Room 3191	1:30 p.m.**
Elections and Reapportionment	Room 3191	1:30 p.m.***
Wednesday		
Rules	Room 5007	9:30 a.m.*
Education	Room 4203	9:30 a.m.*
Business and Professions	Room 3191	9:30 a.m.***
Health and Welfare	Room 3191	1:30 p.m.*
Revenue and Taxation	Room 5007	1:30 p.m.*
Industrial Relations	Room 2040	1:30 p.m.*
Insurance and Financial Institutions	Room 2040	1:30 p.m.***

*Meets every week.
**Meets 1st and 3rd weeks.
***Meets 2nd and 4th weeks.

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Public Utilities, Transit, and Energy (6D, 3R):
Chairman Alquist (D); Vice Chairman Holden (D); Cusanovich (R); Dills (D); Mills (D); Nejedly (R); Rodda (D); Russell (R); Smith (D).
Consultant Tim Davis, phone 445-9765, room 2035.

Revenue and Taxation (6D, 3R):
Chairman Holmdahl (D); Vice Chairman Smith (D); Ayala (D); Deukmejian (R); Dunlap (D); Petris (D); Richardson (R); Song (D); Way (R).
Consultant J. Gould, phone 445-3808, room 2195.

Transportation (6D, 3R):
Chairman Collier (D); Vice Chairman Garcia (D); Alquist (D); Holmdahl (D); Kennick (D); Marks (R); Mills (D); Schrade (R); Whetmore (D).
Consultant Robert Hampton, phone 445-3182, room 4076.

Types of legislation

- **Bills** propose changes or additions to state law. Depending on the house of origin, they are referred to as Assembly Bills or Senate Bills, followed by a number (for example, AB 13, SB 152).

- **Constitutional Amendments,** also called "bills", actually are resolutions proposing constitutional changes to the electorate. They require a two-thirds majority in each house to qualify for the ballot. They are referred to as SCAs or ACAs.

- **Concurrent Resolutions** are used to ratify amendments to city or county charters, adopt joint rules, create joint legislative committees, express legislative intent, and commend individuals for public service. They are referred to as ACRs or SCRs.

- **Joint Resolutions** express legislative opinion on matters pertaining to the federal government, and usually urge passage or defeat of legislation pending before Congress. They are referred to as SJRs or AJRs.

- **House and Senate Resolutions** express the sentiment of one house of the Legislature. They usually ask a committee to study a specific problem, create interim committees, or amend house rules. Their texts are published in the house *Journal*, and they take effect on their adoption.

Assembly committee schedule

Monday		
Judiciary	Room 6031	1:30 p.m.*
Resources, Land Use, and Energy	Room 4202	1:30 p.m.*
Tuesday		
Ways and Means	Room 4202	8:00 a.m.*
Governmental Organization	Room 6031	9:00 a.m.*
Labor	Room 2170	9:00 a.m.**
Human Resources	Room 2133	9:00 a.m.***
Local Government	Room 2133	1:30 p.m.**
Elections and Reapportionment	Room 6028	1:30 p.m.**
Agriculture	Room 2170	1:30 p.m.***
Housing and Community Development	Room 2133	1:30 p.m.***
Wednesday		
Revenue and Taxation	Room 2170	9:00 a.m.*
Health	Room 2133	9:00 a.m.*
Criminal Justice	Room 2117	9:00 a.m.*
Finance, Insurance and Commerce	Room 4202	1:30 p.m.*
Transportation	Room 2170	1:30 p.m.*
Rules	Room 3188	4:00 p.m.*
Thursday		
Education	Room 4202	9:00 a.m.*
Water	Room 2133	9:00 a.m.**
Public Employment	Room 2117	9:00 a.m.***
Intergovernmental Relations		On Call

*Meets every week.
**Meets 1st and 3rd week of month as called at time indicated.
***Meets 2nd and 4th week of month as called at time indicated.

Assembly standing committees

Agriculture (8D, 5R):
Chairman Thurman (D); Vice Chairman Suitt (D); Chappie (R); Duffy (R); Egeland (D); Fazio (D); Garamendi (D); McVittie (D); Mobley (R); Montoya (D); Nimmo (R); W. Thomas (R); Vicencia (D).
Consultant George Soares; phone 445-1918; room 4130.

Criminal Justice (4D, 2R):
Chairman Sieroty (D); Vice Chairman Torres (D); Dixon (D); Knox (D); Maddy (R); Nestande (R).
Consultant Tom Clarke; phone 445-3268; room 2140.

Education (11D, 4R):
Chairman Greene (D); Vice Chairman Hart (D); Antonovich (R); Arnett (R); Campbell (R); Carpenter (D); Collier (R); Egeland (D); Hughes (D); Keysor (D); Montoya (D); Mori (D); Siegler (D); Suitt (D); Vasconcellos (D).
Consultant James Murdoch; phone 445-7807; room 5159.

Elections and Reapportionment (8D, 3R):
Chairman Keysor (D); Vice Chairman Tucker (D); Alatorre (D); Bane (D); Berman (D); Briggs (R); Fazio (D); Fenton (D); McLennan (R); Meade (D); W. Thomas (R).
Consultant Roger Bollinger; Phone 445-8430; room 2196.

Finance, Insurance and Commerce (11D, 4R):
Chairman McAlister (D); Vice Chairman Garamendi (D); Bane (D); Bannai (R); Berman (D); Beverly (R); Goggin (D); Greene (D); Hayden (R); Ingalls (D); Lancaster (R); Miller (D); Papan (D); Ralph (D); Robinson (D); Wilson (D).
Consultants Carl Brakensiek, Steve Spellman, William Mair; phone 445-9160; room 3112.

Governmental Organization (6D, 3R):
Chairman Wilson (D); Vice Chairman Rosenthal (D); Campbell (R); Carpenter (D); Cline (R); Cullen (D); Murphy (R); Ralph (D); Vicencia (D).
Consultant Parke Terry; phone 445-6161; room 4126

Health (8D, 3R):
Chairman Keene (D); Vice Chairman Egeland (D); Duffy (R); Garamendi (D); Hart (D); Ingalls (D); Keysor (D); Lanterman (R); McLennan (R); Rosenthal (D); Tucker (D).
Consultant Ken Wagstaff; phone 445-1770; room 5119.

Housing and Community Development (9D, 4R):
Chairman Chacon (D); Vice Chairman Robinson (D); Brown (D); Campbell (R); Greene (D); Hughes (D); McLennan (R); Papan (D); Siegler (D).
Consultant Renée Franken; phone 445-7610; room 4167.

Human Resources (6D, 3R):
Chairman Maddy (R); Vice Chairman Carpenter (D); Arnett (R); Brown (D); Hughes (D); Lockyer (D); V. Thomas (D); W. Thomas (R); Torres (D).
Consultant John McCoy; phone 445-7558; room 2016.

Intergovernmental Relations (4D, 2R, 3 vacs.):
Chairman V. Thomas (D); Vice Chairman Collier (R); Briggs (R); Cullen (D); Foran (D); McCarthy (D).
Consultant Eve Ostoja; phone 445-7906; room 3132.

Judiciary (6D, 5R):
Chairman Miller (D); Vice Chairman Murphy (R); Badham (R); Bannai (R); Beverly (R); Chel (D); Ingalls (D); Maddy (R); McVittie (D); Torres (D); Wilson (D).
Consultant Thomas Carroll; phone 445-5750; room 4112.

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Assembly
Standing Committees continued

Labor Relations (9D, 2R):
Chairman Lockyer (D); Vice Chairman Siegler (D); Alatorre (D); Antonovich (R); Berman (D); Briggs (R); Fenton (D); Goggin (D); Meade (D); Mori (D); V. Thomas (D).
Consultant Britten McFetridge; phone 445-2657; room 2091.

Local Government (9D, 4R):
Chairman Craven (R); Vice Chairman Gualco (D); Arnett (R); Chimbole (D); Cullen (D); Davis (D); Knox (D); Lancaster (R); MacDonald (D); Perino (D); Priolo (R); Thurman (D); Wornum (D).
Consultant Tom Willoughby; phone 445-7890; room 2148.

Public Employees and Retirement (8D, 3R):
Chairman Deddeh (D); Vice Chairman Perino (D); Antonovich (R); Bane (D); Chacon (D); Craven (R); Fenton (D); Hayden (R); Meade (D); Tucker (D).
Consultants: Dave Cox, Charles Cole; phone 445-7556; room 2126.

Resources, Land Use, and Energy (11D, 4R):
Chairman Warren (D); Vice Chairman Hayden (R); Calvo (D); Goggin (D); Gualco (D); Hart (D); *Kapiloff (D); Keene (D); Nestande (R); Nimmo* (R), Priolo (R); Rosenthal (D); Sieroty (D); Suitt (D); Wornum (D).
Consultant James Pardau; phone 445-9367; 9th floor 11th and L Bldg.

Revenue and Taxation (9D, 4R):
Chairman Boatwright (D); Vice Chairman McVittie (D); Bannai (R); Chel (D); Cline (R); Fazio (D); Kapiloff (D); Lewis (R); Lockyer (D); Mori (D); Murphy (R); Robinson (D); Warren (D).
Consultant David Doerr; phone 322-3730; room 2013.

Rules (4D, 3R):
Chairman Ralph (D); Vice Chairman Burke (R); Davis (D); Lancaster (R); Lewis (R); MacDonald (D); Montoya (D).
Consultant Taugher; phone 445-8173; room 3016.

Transportation (10D, 5R):
Chairman Ingalls (D); Vice Chairman Calvo (D); Alatorre (D); Antonovich (R); Badham (R); Brown (D); Burke (R); Chel (D); Chimbole (D); Collier (R); Deddeh (D); Foran (D); Lanterman (R); Vicencia (D); Wornum (D).
Consultant D.J. Smith; phone 445-7278; room 4016.

Ways and Means (14D, 7R):
Chairman Foran (D); Vice Chairman Lanterman (R); Boatwright (D); Burke (R); Calvo (D); Chacon (D); Chappie (R); Davis (D); Dixon (D); Duffy (R); Gualco (D); Hayden (R); Knox (D); Lewis (R); MacDonald (D); McAlister (D); Miller (D); Nestande (R); Papan (D); Sieroty (D); Vasconcellos (D).
Principal consultant John Delury; phone 445-7082; room 3091.

Boards, Commissions and Departments continued from page 3

Scholarship and Loan Commission
1410 5th St., Sacramento 95814,
(916) 445-0880.

Solid Waste Management Board
1416 9th St., Room 1335, Sacramento 95814,
(916) 322-3330.

State Lands Commission
1807 13th St., Sacramento 95814,
(916) 322-4105;
100 Oceangate, Suite 300, Long Beach 90802,
(213) 435-6681.

California State University and Colleges
5670 Wilshire Blvd., Los Angeles 90036,
(213) 938-2981.

Division of Libraries (State Library)
Library and Courts Building, Sacramento 95809,
(916) 445-4374.

Department of Transportation
1120 N St., Sacramento 95814,
(916) 445-4616.

University of California
714 University Hall, Berkeley 94720,
(415) 642-6000.

Department of Veterans Affairs
1227 O St., Sacramento 95814,
(916) 445-2334

Department of Water Resources
1416 9th St., Sacramento 95814
(P.O. Box 388, Sacramento 95802),
(916) 445-9248.

Water Resources Control Board
1416 9th St., 10th Floor, Sacramento 95814,
(916) 445-9434

Wildlife Conservation Board
1416 9th St., Sacramento 95814,
(916) 445-8448

Department of the Youth Authority
714 P St., Sacramento 95814,
(916) 445-4673.

Other key legislative bodies

Joint Legislative Audit Committee
Assemblyman Mike Cullen (D), chairman.
Auditor General, 925 L St., Suite 750, Sacramento 95814; (916) 445-0255.

Joint Legislative Budget Committee
Senator Grunsky (R), Chairman; Assemblyman Mike Cullen (D), vice chairman.
Legislative Analyst A. Alan Post; Chief Deputy John Vickerman; Deputies Clinton Jordan and Arthur Buck Jr.; 925 L St., suite 650, Sacramento 95814; (916) 445-4656

Joint Rules Committee
Assemblyman Leon Ralph, chairman.
3016 State Capitol, Sacramento 95814; (916) 445-2363.

Office of the Legislative Counsel
Legislative Counsel George H. Murphy; Chief Deputy Bernard Czesla; 3021 State Capitol; (916) 445-2781; 107 S. Broadway, Los Angeles 90012; (213) 620-2550.

Capital news bureaus

The principal news bureaus maintained by newspapers and broadcasters in Sacramento (95814):

Publications

Associated Press, Suite 320, 925 L St.; 445-6196.

California Journal, 1617 10th St., 444-2840.

Capitol News Service, Room 347, 1127 11th St.;446-2132.

Copley News Service, Suite 1190, 925 L St.; 445-2934.

Long Beach *Independent, Press-Telegram*, Suite 345, 925 L St.; 332-3022.

Los Angeles *Daily Journal*, Suite 325, 925 L St.,; 445-8063.

Los Angeles *Herald-Examiner*, Room 320, 925 L St.; 445-2936.

Los Angeles *Times*, Suite 1490, 925 L St.; 445-8860.

McClatchy Newspapers (*Sacramento, Fresno, Modesto Bees*), Suite 340, 925 L St.; 445-9424.

Oakland *Tribune*, Suite 385, 925 L St.; 445-5424.

Riverside *Press-Enterprise*, Suite 325, 925 L St.; 445-9973.

Sacramento *Bee* (see under McClatchy Newspapers).

Sacramento *Union*, Suite 1190, 925 L St.; 445-2776.

San Bernardino *Sun Telegram*, Suite 385, 925 L St.; 445-4310.

San Diego *Evening Tribune*, Suite 1190, 925 L St.; 445-6510.

San Diego *Union*, Suite 1190, 925 L St.; 445-9656.

San Francisco *Chronicle*; Suite 680, 925 L St.; 445-5658.

San Francisco *Examiner*; Suite 320, 925 L St.; 445-4310.

San Jose *Mercury-News*, Suite 345, 925 L St.; 322-3022.

United Press International, Suite 1185, 925 L St.; 445-7755.

Radio, television

Group W-Westinghouse Broadcasting (KFWB, KPIX), Suite 305, 925 L St.; 445-4212.

KCBS, KABC, Suite 305, 925 L St.; 445-7372.

KNBC Los Angeles, NBC-News, Suite 335, 925 L St.; 445-2573.

KNXT Los Angeles, CBS News; Suite 308, 925 L. St.; 445-4477.

KCRA Sacramento, 310 10th St.; 444-7300

McClatchy Broadcasting (KOVR-TV; KFBK radio), Suite 340, 925 L St.; 445-2239.

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Keeping track of legislation

Keeping track of the thousands of bills that are introduced in the Senate and Assembly every year is a difficult job, even for well-staffed professional lobbies. To do so, they rely heavily on six official legislative guides that are published daily during the session: the Assembly and Senate *Daily Files, Journals,* and *Histories*. Single copies of these publications are available free (as are single copies of bills) from the Legislative Bill Room. Also available there, at nominal cost, is a useful and concise reference, *California's Legislature*, by James D. Driscoll, Chief Clerk of the Assembly, from which the following descriptions of the legislative publications are drawn:

Daily Files. The *Daily File* for each house is an agenda of the day's business. It lists all measures to be taken up on the floor in the order in which they are to be dealt with, and it also lists all scheduled committee hearings and the bills scheduled for hearing before each committee. Under the provisions of the Assembly rules, notice of all bills set for hearing by any committee or subcommittee must be published in the *Daily File* for three consecutive days prior to the hearing, unless there is a special waiver. The Senate rules now also require the calendar for regular committee meetings to be printed in the *Daily File* and at least two days in advance of the meeting. In addition, the *Daily File* provides an up-to-date list of the membership of all standing committees of each house.

The Daily Journals. The *Daily Journal* of each house contains a "true and correct" account of that chamber's proceedings of the preceding day. This includes the titles of all measures introduced, considered or acted upon by each house, the texts of amendments to these measures and of house resolutions, roll calls, messages from the governor and the other house, committee reports, motions, and acknowledgment of any communications. Senate committee votes are recorded and published in the Senate *Journal*, but the Assembly reports its committee votes in a separate appendix to the Assembly *Journal*.

The History. Each chamber's *History* shows the action taken on all measures on the file for action that day (except for measures passed on file) and all committee actions on bills. A *Weekly History,* published at the end of the week summarizes the daily accounts and contains the titles of all measures introduced up to the end of that week, and the committees to which they were assigned, along with any action taken on them and the date which it was taken. The *Weekly History* also carries the names of each house's membership, committee assignments and the schedule of meetings.

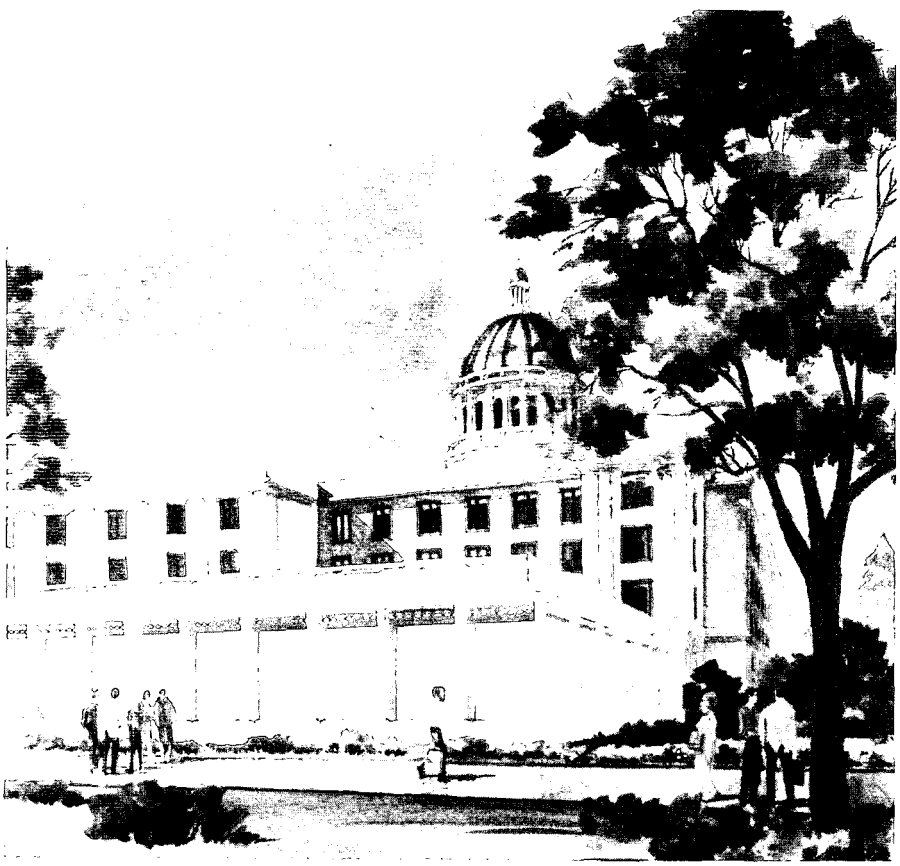
Legislative Index. At intervals during the session, a *Legislative Index* is published, listing by subject all bills introduced in the Legislature. It also contains a table showing which sections of the Constitution and statutes are affected by the measures introduced.

Other publications

Once the Legislature adjourns, the *Daily Journals* are corrected, reprinted, and deposited with the secretary of state as a permanent record of each day's proceedings. Each house also publishes a *Final History,* summarizing all legislation introduced and acted upon during the session. This history is indexed and shows which sections of law are affected by the legislation enacted, and whether the changes involved deletions, additions, removals, or renumbering.

A new, unofficial publication, produced by the nonpartisan monthly analysis of state government and politics, *California Journal*, offers a mass of information useful in understanding the Capitol scene. It is California Journal *Almanac of State Government and Politics*, available from the magazine, 1617 10th St., Sacramento 95814. The cost: $3.13, tax included.

PROPOSED INTERIM LEGISLATIVE CHAMBERS



USEFUL CAPITOL NUMBERS
(Area Code 916)

Information	445-4711
Secretary of Senate	445-4251
Chief Clerk of Assembly	445-3614
Bill Room	445-2323
Senate Research	445-1727
Assembly Research	445-3498
Archives	445-4293
Auditor General	445-0255
Legislative Analyst	445-4656
Legislative Counsel	445-2781
State Police	445-2895

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Legislative Process

IDEA

Sources of bills: legislators, legislative committees, governor, state and local governmental agencies, business firms, lobbyists, citizens.

DRAFTING

Formal copy of bill and "layman's digest" prepared by Legislative Counsel.

INTRODUCTION

Bill submitted by senator or assemblyman. Numbered and read for first time. Assigned to committee by Assembly speaker or Senate Rules Committee. Printed.

COMMITTEE

Testimony taken from author, proponents and opponents. Typical actions: Do pass; amend and do pass; no action; hold in committee (kill); amend and rerefer to same committee; refer to another committee; send to interim study.

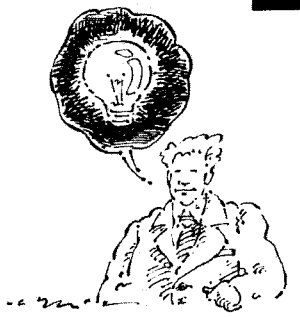
Appropriation bills, if approved by policy committee, are referred to Finance Committee in the Senate and Ways and Means Committee in the Assembly.

SECOND READING

Bills given do-pass recommendations are read a second time and placed on file for debate.

FLOOR DEBATE AND VOTE

Bills are read a third time and debated. A roll-call vote follows. For ordinary bills, 21 votes are needed in the Senate and 41 in the Assembly to pass a measure. For urgency bills and appropriation measures, 27 and 54 votes are required. If these numbers are not reached, the bill is defeated. Any member may seek reconsideration and a second vote. If passed or passed with amendments, the bill is sent to the second house.



SECOND HOUSE

Bill is read for the first time and referred to committee by the Assembly speaker or Senate Rules Committee.

COMMITTEE

Procedures and possible actions are identical to those in the first house.

SECOND READING

If cleared by committee, the bill is read a second time and placed on the daily file (agenda) for debate and vote.

FLOOR DEBATE AND VOTE

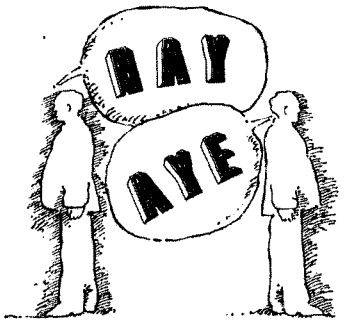
The procedure is identical to the first house. If a bill is passed without having been amended in the second house, it is sent to the governor's desk. (Resolutions are sent to the secretary of state's office.) If amended in the second house and passed, the measure returns to the house of origin for consideration of amendments.

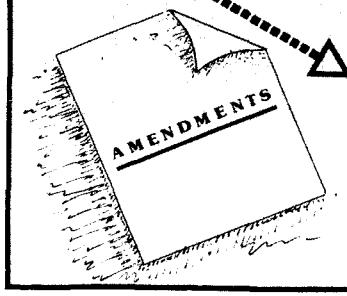
CONCURRENCE

The house of origin decides whether to accept the second-house amendments. If the amendments are approved, the bill is sent to the governor. If the amendments are rejected, the bill is placed in the hands of a two-house conference committee composed of three senators and three Assembly members.

CONFERENCE

If the conferees fail to present a report, the bill dies. If the conferees present a recommendation for compromise, both houses vote on the report. If the report is adopted by both, the bill goes to the governor. If either house rejects the report, a second (and even a third) conference committee can be formed.





GOVERNOR

Within 12 days after receiving a bill, the governor can sign it into law, allow it to become law without his signature, or veto it. A vetoed bill returns to the house of origin for possible vote on overriding the veto. It requires a two-thirds majority of both houses to override.

Urgency measures become effective immediately after signing. Others usually take effect the following January 1st.

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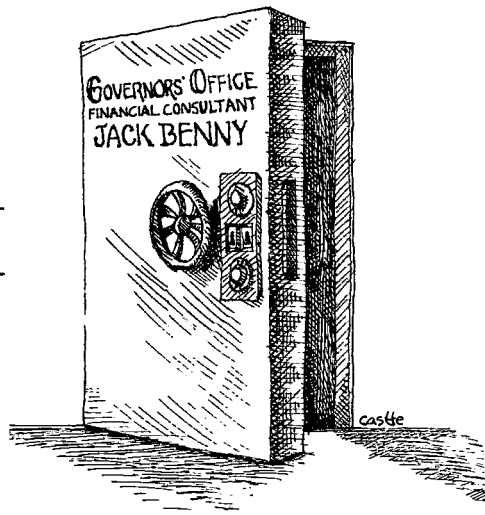
'GOVERNOR SKINFLINT'

Brown's second budget -- tale of a growing surplus



In case any doubt remained, Governor Brown proved with his second state budget that he really is a skinflint. A year ago, Brown assumed the governorship at a time of extraordinary economic hardship, and he was able to prevent a tax increase through stringent spending policies and employment of a large surplus inherited from Ronald Reagan. But now economic conditions are improving and the state still has a hefty surplus. Yet, Brown submitted a budget to the Legislature that doesn't even spend all the money the state expects to collect during the year.

The big surprise in the 1976-77 appropriations package was not the total of $12.6 billion, but the generally favorable fiscal condition of state government. Brown had been talking so long and so loud about his efforts to prevent a tax increase that there was reason for the public to believe that the state was pinched for funds. But the new budget would leave a surplus exceeding $500 million, practically guaranteeing that Brown will not have to face a general tax increase in his term. State general-fund revenues during the year are expected to exceed expenditures by about $67 million, but the projected surplus will be trimmed by about $35 million because of a possible reduction in federal revenue-sharing funds. With this kind of an outlook, Brown faces the challenge of restraining a Legislature inclined to spend if he hopes to keep his half-billion-dollar cushion.

KEY BUDGET FACTS

Total: *$12.6 billion, up 5.2 percent from the current level of spending, up 10 percent from the budget signed into law last year and up 12 percent from the budget submitted to the Legislature by Brown a year ago.*

New taxes: *none.*

Economic forecast: *continued improvement produces rising state revenue.*

Where money goes: *education, 37 percent; health and welfare, 28 percent; property-tax relief, 12 percent; business and transportation, 7 percent.*

How money is raised: *sales tax, 34 percent; personal-income tax, 28 percent; bank and corporation tax, 11 percent; highway-user taxes, 10 percent.*

Year-end projected surplus: *$519 million on June 30, 1977, up $33 million from the $486 million surplus estimated for June 30, 1976. (Includes revenue-sharing funds.)*

State employees: *205,825, up 1,172 from the estimate for the current fiscal year.*

Pay raises: *$65 a month for all employees, except $125 for Highway Patrol officers. This is the equivalent of about 6.5 percent. Total cost: $204 million. Legislation would be required to implement this unique type of pay raise.*

Federal aid: *$7.7 billion, down $300 million from the current fiscal year.*

Outstanding bonded debt: *$5.5 billion.*

Encouraging estimates

For Californians in general, the good news is that the state's fiscal experts are telling us that the economy is rebounding rapidly from a bottom reached in early 1975. Finance Director Roy M. Bell feels that the state's economy, in terms of real gross national product, will return to pre-recession levels in the third quarter of this year and will keep rising thereafter at an annual growth rate of about 5.4 percent. Bell claims that the economy improved significantly at the end of 1975, producing somewhat more state revenue than anticipated. Nevertheless, the economy cannot absorb all the Californians entering the job market and, at the same time, clear the backlog of unemployed workers. As a result, Bell estimates that the unemployment rate will drop only from 9.9 percent in 1975 to 9.2 percent this year. Generally, however, the estimates for 1976 are encouraging:

Selected economic data (dollars in billions)

	1975	1976	% Increase
Personal income	137	151	10.1
Inflation (CPI)	159	171	7.6
Real personal income	87	89	2.4
Corporate profits	11	13	13.2
Taxable sales	74	82	11.3
Auto sales	825,000	935,000	13.3
Housing units approved	135,000	175,000	29.6
Civilian employment	8,505,000	8,750,000	2.9

As a result of the economic upturn, the Department of Finance is banking on a 13.5 percent increase in state revenue — after deducting the $50 million in income-tax cuts for couples with incomes less than $10,000. (Brown's plan would eliminate all state income tax on individuals earning less than $5,000 or couples earning less than $10,000. Also there would be reductions for those in the next bracket — $6,000 for singles and $12,000 for couples.) The administration estimates that there will be $495 million more from the income tax, $400 million more from the sales tax and $260 million more from the bank and corporation tax. But should these estimates prove overoptimistic, the surplus could be pared considerably. In his budget message, the Governor warned legislators: "Do not lull yourselves into thinking that hard times are over or ignore the lessons of other states which have raised taxes and cut vital services. Even in times of relative affluence we must be prepared to weather cyclical economic reverses

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Other significant items in the budget

Property tax relief. The budget contains $1.4 billion — more than 10 percent of the overall package — to reimburse local government under various property-tax relief programs.

Liquor. Brown proposed a merger of the state's anti-alcoholism agency and the Alcoholic Beverage Control Board. This means that a temperance leader is apt to head the ABC operation, which has traditionally been close to the liquor industry.

Migrant camps. The budget contains $3.7 million for state operation of migrant housing centers, which are being abandoned by the federal government.

California Conservation Corps. Brown proposed that $10 million be spent on a conservation corps instead of the $5 million now earmarked for the Ecology Corps. The new organization could provide health and social services in urban areas as well as environmental aid in rural California.

Parks and recreation. About $25 million would be made available to local government for the purchase and development of urban parks.

Air pollution. An additional $11 million would be allocated to the Air Resources Board for operation of 23 new emission-monitoring stations in the South Coast Air Basin and for control of stationary sources of smog.

Fish and game. An appropriation of $2.5 million would be made, including $1.5 million from the general fund, for preservation of non-game wildlife species.

Labor relations. The new Agricultural Labor Relations Board, pinched for funds in the current year, would get $6.7 million in 1976-77 to allow for expansion of operations.

Voting. The secretary of state would get an additional $1.3 million to conduct the new register-by-mail program.

State buildings. About $40 million would be appropriated for a new state office building in Sacramento and for meeting the unanticipated added cost of constructing new schools for the deaf and blind in Fremont, Alameda County.

Red-lining. About $500,000 would be made available for the state to halt the practice of red-lining by mortgage-lenders in urban areas. (Red-lining is the practice of setting aside sections of cities as unfit for housing loans.)

that might be just around the corner." In other words, the state should be tight with the buck in good times as well as bad.

Brown's first budget was a do-it-yourself job, and the Governor personally briefed the media on its content. This year, Brown answered only a few questions following a detailed briefing by Bell. And Bell indicated that Preble Stolz, director of the governor's Office of Planning and Research, played a major role in developing the details of the program. The total of $12.609 billion is only 5.2 percent higher than the estimated current level of spending, if bond funds are included. Without bonds, the percentage rises to 6.3 percent — still modest by comparison with the trend of recent budgets. The general-fund increases total about $800 million ($566 million in local assistance and $249 million in state operations, minus a reduction of $15 million in capital outlay). This level of increase is not nearly enough to make some major interest groups happy, among them state employees, educators, judges and welfare recipients.

Brown's proposal to spend $204 million for additional employee benefits is controversial on two counts — first that it falls about 3.5 percent short of meeting the 10 percent pay-hike recommendation of the State Personnel Board, and secondly that Brown is pressing for the increases to be granted equally at the rate of $65 a month to all employees, whether judges or janitors. To accomplish this, Brown will need legislation beyond the budget bill itself and he knows that this kind of measure will be difficult to pass. But, he explained: "Ideas have to be launched, even if they are not welcomed with open arms."

The $65 plan is based on the theory that inflation hurts those at the bottom of the salary scale the most. "Groceries are purchased in dollars, not percentages," said Brown. (The one exception to the $65 rule would be California Highway Patrol officers, who would get 10 percent, or $125 a month.) Brown said he would try to persuade the Legislature, the Personnel Board and the University of California Regents to carry out this program for one year.

Judges now have a special provision in the law giving them automatic cost-of-living raises and placing this boost out of reach of the budget bill. Brown, who has been at odds with judges over other issues, wants to cut the judges' increase down to $65 a month, which would take several thousand dollars a year away from each judge based on the current formula. In addition, he is proposing to make the judges' retirement plan actuarially sound by increasing contributions by the state and participants, from 8 percent of salary to 15. This would mean a significant drop in the judges' take-home pay.

Education support

For the second straight year, Brown provided much smaller increases for each element in the education mix than requested. The public schools would get $2.8 billion, an increase of about $150 million or 6 percent to cover a steady student load of about 4.7 million. This level would not nearly meet the demands of teacher organizations for pay raises and doesn't even attempt to come to grips with the *Serrano* decision outlawing the present method of financing schools. Brown said the budget ignored *Serrano* for two reasons: the court decision is not yet final and "I have not yet seen a *Serrano* solution worthy of endorsement." The California Teachers Association will mount a drive to convince the Legislature that some of the surplus should go to schools.

Brown allowed only a 5 percent increase in adult-education funds in the community colleges and high schools, maintaining the limitation imposed last year. But that won't cause him as many legislative problems as his allocations for higher education. Brown proposed $644 million for the University of California, an increase of $57 million (including $25 million for salary increases), and he recommended $603 million for the State Colleges and University, up $61 million (including $27 million for salary hikes). Both systems were hoping for more generous treatment.

In health and welfare Brown provided $103 million for cost-of-living increases in the area of 6 percent for those on welfare. But he cut the allocation for caseload $16 million on the assumption that aid-to-families-with-dependent-children would show a reduced roll during the fiscal year.

While Brown may have been tight with the dollar, considering the resources available, he certainly did not hesitate to advance proposals that could involve major conflicts in the Legislature. The "sleeper" in the budget is a $400,000 item to allow the California Highway Patrol to place radar units in 200 vehicles. This proposal has been before lawmakers on numerous occasions and been consistently rejected. But this is a case where Brown can't lose: The anti-speeder in him wins if the request is granted, and the skinflint in him gains $400,000 if it isn't.

ED SALZMAN

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Agonizing reappraisal for the environmental quality act

By Anne Jackson

When the California Environmental Quality Act was passed in 1970 as a legislative response to Earth Day, the new law managed to dress ambiguity and impotence in the language of Thoreau. It shall be state policy, it said, to "provide the people . . . with clean air and water, enjoyment of aesthetic, natural, scenic and historical environmental qualities, and freedom from excessive noise." To that end it required state and local agencies to prepare environmental impact reports (EIRs) on "any project they propose to carry out which could have a significant effect on the environment."

But it didn't say whether EIRs were required for private as well as public projects, and it took a court decision to extend the act into the private sector. Nor did the act provide a state administrative or enforcement agent or a penalty for failure to provide an EIR. And it was unclear which agency should implement the act. As a result, the act was virtually ignored for the first two years after its passage.

Then, environmental groups began suing, with the state Supreme Court ruling, in *Friends of Mammoth* v. *Mono County Board of Supervisors,* that the act's language showed a broad intent to protect the environment and, therefore, covered private projects as well as public. The *Friends of Mammoth* decision jolted the business community (as well as many legislators who had not realized the impact of the bill they had passed).

Now two and a half years later, the environmental quality act is under attack from business interests and organized labor in a battle that threatens the act's survival. And, in the face of a long-faltering economy, Governor Brown has ordered a new look at the act. "If it works, let's keep it," he said. "If it doesn't, let's junk it." Environmentalists are scrambling after ways to relieve the complaints of those economically affected by the law while preserving the act's substance.

The act has had its strongest impact at the local level,

continued on next page

A look at the act's impact on cities and counties

Implementation of the California Environmental Quality Act at the city and county level was evaluated in a report issued last November by the Assembly Committee on Local Government, headed by the author of the act, John T. Knox of Richmond. The study was conducted by Environmental Analysis Systems of San Diego. Here are key findings and recommendations:

FINDINGS

About 4,000 environmental impact reports (EIRs) were prepared in 1974 for review by governmental agencies.

*90 percent of the EIRs were processed at the local level; two-*thirds involved private projects, one-third public. In 53 percent, approval was granted without change.

In 70 percent of the projects, applicants made changes to lessen damage as a result of environmental review before seeking construction approval; in 30 percent, the public agency required changes before granting approval.

*In a "significant number" of cases, the public agencies ap-*proved projects having what they considered to be social, economical or political justification, despite some environmental drawbacks.

"Mitigation measures" were highly effective in the areas of traffic safety and congestion, aesthetic degradation, erosion and noise impact upon project users, but ineffective in controlling air quality, irreversible changes in the character of land, loss of agricultural land, public revenues, native habitat, growth inducement, adequacy of schools and loss of open space.

*The vagueness of the act and the guidelines leads to over-*analysis of environmental impacts and to the "generation of data which has only marginal utility." Great variation was found in treatment of seismic hazards, disturbance of flora and fauna, and degradation of water quality. On controversial projects, decision-makers sometimes used over-analysis to postpone a political decision.

The cost of implementing the act at the local level was between $50 million and $75 million in 1974. Some 65 percent of the cost was for private projects and, of that, 80 percent was paid by the applicant and 20 percent by taxpayers.

The act's requirements added about $150 to the cost of the average new housing unit in 1974.

RECOMMENDATIONS

The act and guidelines should be clarified.

Standards should be developed for anlayzing impacts of a regional nature.

Environmental review should continue to be required for local plans, policies and ordinances, but this review should not replace project-by-project evaluation.

Time standards should be adopted to minimize delay in carrying out the act's requirements.

Local agencies should investigate information-management systems to facilitate EIR preparation and environmental review.

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where its provisions are carried out by cities and counties. The methods used by local agencies vary widely, but generally fall within this framework:

- Any project requiring government approval is assessed by the public agency involved, in terms of whether the proposal is likely to cause environmental damage. If so, a draft report is ordered describing the project and its anticipated environmental impact, giving justification for any damage it may cause and listing alternatives
- Other governmental agencies and the public may comment on the draft, and these comments, the local agency's responses to them and the draft itself constitute the final document.
- After further review, the local agency decides whether the project should be approved as proposed, rejected, or approved if modified.

Industry representatives complain that this process needlessly impedes development, causes delay, and is excessively costly to the developer, who must pay for the EIR and wait for final approval. "If the whole community benefits from environmental protection, then the whole community should pay for it — not just the guys who build projects," argues Jack Shelby, a lobbyist for the California Association of Realtors.

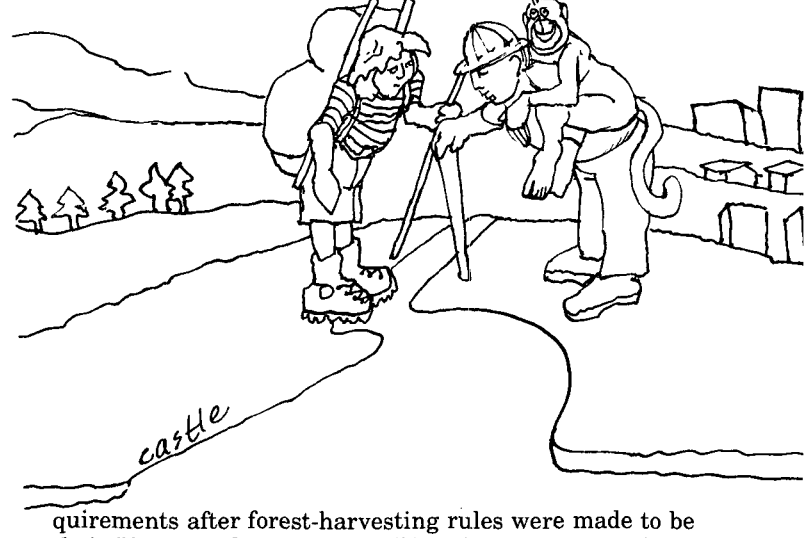
For the defense

The defenders counter that EIRs do not necessarily slow development and that the act only requires government to minimize environmental damage where possible. They point out that existing guidelines state: ". . . It is recognized that other objectives must be balanced, including economic and social factors. . . . Adverse environmental impacts do not require a project to be disapproved." The time required to prepare and process an EIR depends on the magnitude of the project and on the public agency involved, and the guidelines suggest a 30-to-90-day period for review of the draft report. Other planning activities and processing can proceed concurrently.

And, while the defenders concede that the cost of preparing an EIR can be substantial, they argue that it is justified. The Sierra Club lobbyist, John Zierold, maintains that economic and environmental concerns are intertwined and, for that reason, "the public should be informed about the economic consequences of the destruction of prime agricultural land, of scenic natural resources that draw revenue from tourists, of our life-support systems such as estuaries which are essential to the food equation. Developers reap monetary benefits from their projects, but don't pay their fair share of the cost of the damage done," he adds.

Assemblyman Charles Warren (seatmate of the author of the act, Assemblyman John T. Knox) has twice introduced legislation that would require inclusion of this sort of economic information in EIRs, but the measures have met with stiff opposition from industry. Governor Reagan vetoed one in 1974, and a similar measure was defeated in the Legislature last year.

That constituted only one of the skirmishes fought since more than 1,300 loggers descended on Sacramento to protest a court ruling extending EIR requirements to timber harvesting plans. [See "Is the Sierra Club running the Resources Agency?", *CJ*, March 1975.] Under prodding from Governor Brown, Resources Secretary Claire Dedrick responded by issuing emergency regulations temporarily exempting timber-cutting projects from EIR requirements after forest-harvesting rules were made to be their "functional equivalent". The effect was to send the loggers back into the forest to work under a simpler and shorter process.



In the weeks following the loggers' protest, 10 bills were introduced on behalf of the timber industry, while environmentalists expressed alarm at the bypass tactic. The Legislature acted to exempt timber-harvesting plans from environmental requirements through 1975 (replacing the "functional equivalent" regulation), and the state Board of Forestry in December approved regulations that tightened the environmental standards applied to the plans it regularly reviews and that gave the state forester authority to block logging operations deemed ecologically harmful. This, in effect, reinstituted the "functional equivalent" regulation of a year earlier.

Another bill signed into law exempted from the environmental act programs that met specified criteria, another application of the functional-equivalent concept but with additional safeguards for the environment. Under its provisions, a project could not be approved if there were "feasible alternatives or feasible mitigation measures available" that would lessen the adverse impact. That law, which will expire next year, makes business interests nervous because, though limited in application, it puts into statutory form the philosophy behind what is known as "footnote eight" of the *Friends of Mammoth* decision. The concern is that the language lessens an agency's freedom to balance the economic and social justification for a project with environmental factors in making its decision to approve or reject. Environmentalists discount those fears, arguing that the phrase "feasible alternatives or feasible mitigation measures" means that social and economic factors should be considered. Ecologists are even more concerned about Resources Agency guidelines that allow state departments to ignore EIR requirements for activities designed to protect the environment or natural resources. Environmentalists claim that these so-called categorical exemptions leave too much discretion in the hands of state department directors — such as the exemption claimed by the Department of Food and Agriculture for its pesticide program. If Secretary Dedrick abolishes categorical exemptions, departments will either be forced to prepare EIRs or meet the more stringent functional-equivalent requirements.

Berryhill's repealer

A more far-reaching bill left in the wake of the logging protest remained alive as the Legislature reconvened last month — SB 502 by Senator Clare Berryhill. As introduced, it would have repealed the environmental quality act, and it still amounts to a thinly disguised attempt to accomplish the same purpose by eliminating EIR requirements for any project conforming to a county's general

The author, a former research librarian, prepared this article while a Journal *intern from California State University, Sacramento.*

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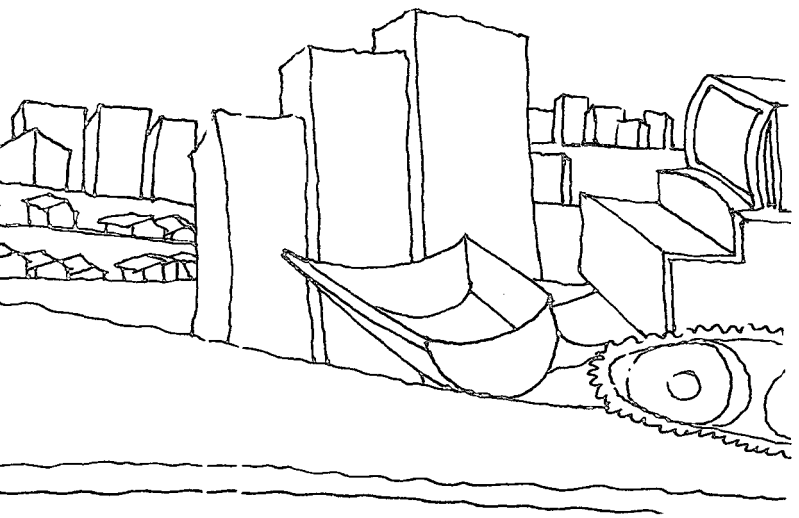

plan. It would require anyone seeking to halt a project during litigation to post a bond to reimburse the builder for the delay. The measure failed to clear the Senate last year, and it will likely be killed in the Assembly this year.

The controversy is far from dissipated, however, and many agencies are following Governor Brown's suggestion to study the act. The attorney general's office is analyzing how its provisions can be made more effective; the Office of Planning and Research is looking at how state agencies operate under the act; the Assembly Committee on Local Government examined the law's implementation at the local level [see box]; the Resources Agency is considering changes in the guidelines; and business groups are trying to put a price-tag on the act's cost to private industry. Still, no one knows yet just how well the law is actually working. It seems agreed that few projects have been killed outright as a result of the act. Most projects that came before agencies for approval were given clearance without invoking EIR requirements. The Resources Agency is expected to look closely at the criteria in the guidelines upon which such approvals were based.

Put it in writing

A key issue that remains unsettled is to what extent public agencies must prevent environmental damage. It was hoped that a decision by the state Court of Appeal last February in *Burger* v. *County of Mendocino* would clarify the point. But the court held only that, if an agency chooses a damaging alternative over a less-damaging one, the choice must be justified with written evidence as to the project's overriding social and economic benefits.

A significant gray area in evaluating the act's effectiveness concerns enforcement. The Resources Agency has only two staff members working full time on the act, and their function is limited almost entirely to setting policy and to commenting on those EIRs sent to them for review. The attorney general's office has special authority to enforce environmental laws but, with only a small staff to exercise it, restricts itself to cases of extreme abuse or of a precedent-setting nature. Younger's office has initiated only three environmental actions since 1971 and has been involved in only seven. As a consequence, a builder or a public agency choosing to ignore the act may not be challenged unless a member of the public files suit.

Still, only about 2 percent of the violations now result in court action, according to Larry King of the attorney general's environmental unit. "And," he adds, "I don't mean just *technical* violations but cases, for instance, where they simply didn't do an EIR."

Judging impact

The present guidelines permit the draft EIR to be prepared by either the public agency involved or the project's proponents, and environmentalists complain that this enables a builder to gloss over the harm a project may cause and turn the EIR into a sales job. While many EIRs are prepared under contract by private consultants, no legal standards exist to regulate the performance or competence of these firms.

Industry's major complaints about the California Environmental Quality Act concern the size and scope of EIRs. The guidelines state that an EIR, among other things, must describe the impact a proposed project would have on the "land, air, water, minerals, flora, fauna, ambient noise, and objects of historic or aesthetic significance." The breadth of this definition, according to Jack Shelby of the Realtors Association, makes the reports not only excessively costly but "so big nobody reads them". Tom Willoughby, consultant to the Assembly Committee on Local Government, agrees that the vagueness of the guidelines causes EIRs to contain "more data than is useful".

Apart from the expense involved in preparing the document, industry also claims that the technical nature and extent of the data makes the EIR easy prey for those who want to stop a project. That concern is reflected in the bond-requirement provision of Senator Berryhill's SB 502. Another approach would be to require less detail in the reports and concentrate instead on the broad impact of projects on the environment. Still another possible answer is to focus on alternatives to the proposed project instead of on a description of its impact.

One county's practice

Sacramento County handles the problems of EIR cost and objectivity by preparing the required documents itself. A developer fills out a questionnaire describing the proposed project and justifying it. The county prepares the EIR using a data bank containing information from earlier studies. This cuts down considerably on time and cost.

Berryhill's bill would eliminate the EIR requirement for any project conforming to a county general plan, which sets standards for such things as traffic density, zoning and sewage. But defenders of the act consider general plans too broad, too vague and too changeable to provide adequate environmental protection. (Some would like to see the act apply to general plans themselves since these contain every county's basic land-use decisions.)

Business climate

Environmentalists maintain that the greatest worth of the California Environmental Quality Act is that it requires developers to consider ecological factors early in their planning. But Larry Kiml, director of the state Chamber of Commerce's environmental resources group, sees the additional planning requirement as detrimental to California's business climate. "It's impossible to tell how many projects never get started at all," he says. "We need 400,000 new jobs in California each year just to keep even." He argues that the so-called no-growth movement that has gathered momentum in the 1970s has given the state the nation's second-worst business climate.

Such a linkage of sound environment and unsound economy is viewed as fallacious by Norman E. Hill, special assistant to Resources Secretary Dedrick. "That's a slogan that especially burns me. The purpose is not to favor the environment over jobs, but to find ways people can have jobs and projects can go ahead. But projects *can* be better environmentally."

Just what effect the pressure of business and labor will have on lawmakers isn't clear, but changes in the act appear inevitable. The task of the act's defenders will be to assure that the compromise eventually struck will not prove to be a Faustian bargain.

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Dance of the Departing Senators

Joseph Kennick

Robert Stevens

The elections of 1976 will produce the most drastic shake-up of the state Senate since the court-ordered one-man, one-vote reapportionment of 1966. Already, five Republican senators and one Democrat have announced that they will not seek re-election. A special election will be held to replace the new mayor of San Francisco, Democrat George Moscone. And an analysis of other districts indicates that four more incumbents are endangered.

Assuming that the Moscone seat is won by a Democrat, the Republicans will enter the November election hard pressed to prevent the Democrats from winning 27 seats, two-thirds of the 40 seats in the upper house. In the 1974 contest for even-numbered seats, Democrats carried 17 of the 20 races. That means that the Democrats need only break even in the 20 even-numbered districts this year to capture 27 votes and, with that, the power to pass any bill over Republican opposition.

The outlook for the GOP is not good. The Democrats have five safe seats (those held by Albert Rodda, Nicholas Petris, Alfred Alquist, David Roberti and Bill Greene) and one leaning Democratic (Randolph Collier). The Republicans have only three safe districts (Newton Russell, Bill Richardson and the one being abandoned by James Whetmore). But there are three districts that should go Republican despite the possibility that the Democrats will mount major campaigns (John Nejedly, Lou Cusanovich and that being vacated by Howard Way).

Assuming that all these districts go according to form, eight races will determine whether the Democrats can occupy 27 seats. Here is a rundown of those pivotal contests:

5th DISTRICT — Republican Milton Marks has managed to survive in Democratic San Francisco, but he ran poorly in the contest for mayor, has a more Democratic district as a result of reapportionment and may face a dynamic opponent, Assemblyman Willie Brown.

13th DISTRICT — Republican Clare Berryhill decided to return to family and farm rather than face future battles in his sprawling mountain-valley district. Democratic Assemblyman John Garamendi is the early favorite to succeed him, but former Lieutenant Governor Ed Reinecke may return to the political arena to try to hold the seat for the GOP.

17th DISTRICT — Retiring Republican Donald Grunsky has held this district with ease for many years, but the registration is not decisively aligned toward either party. Assemblyman Robert Nimmo will probably be the GOP nominee. One Democratic contender, Suzanne Paizis, will be a prime hope of women's organizations to break the sex barrier in the all-male Senate.

27th DISTRICT — The withdrawal of Republican Robert Stevens from a re-election campaign eliminated possible head-to-head combat between two incumbents, Stevens and Democrat James Wedworth, who were reapportioned into the same district. The district should go Republican, but Wedworth has shown an ability to survive despite primary problems.

31st DISTRICT — Veteran Democrat Joseph Kennick, 70, decided to retire rather than face Republican incumbent George Deukmejian in a face-off in their reapportioned district. But Deukmejian is not out of the woods. The district is 57 percent Democratic and has two Democratic assemblymen, Mike Cullen and Fred Chel, one of whom will probably run.

33rd DISTRICT — This is a non-incumbent district with no decisive partisan advantage in voter registration (53 D-41 R). The early favorite is GOP Assemblyman Bill Campbell. Norwalk Councilman Cecil Green, a Democrat, started campaigning for the seat many months ago and has a head start on other candidates.

37th DISTRICT — This is another non-incumbent district with no decisive partisan voter edge (53 D-40 R). It is located in an area of Orange County having two freshmen Democratic assemblymen, and one of them, Paul Carpenter, is expected to run.

39th DISTRICT — Republican Jack Schrade, at 73 the oldest member of the Senate, could face stiff opposition from Democratic Assemblyman Bob Wilson.

The 'leaners'

The four "leaning" districts shape up this way:

1st — Veteran Democrat Randolph Collier is running for re-election, and former GOP Assemblyman Ray Johnson should provide Collier with a tougher opponent than usual.

7th — Republican John Nejedly has a non-partisan image in Contra Costa County, but a Democrat could win the seat if Nejedly does not seek reelection in this heavily Democratic district (61 D-34 R).

15th — Retiring Republican Howard Way had no trouble winning in the nominally Democratic San Joaquin Valley; whether the probable GOP nominee, Assemblyman Ernest Mobley, will fare as well remains to be seen.

19th — Republican Lou Cusanovich has been covering some new territory as a result of reapportionment, and he could face a well-financed Democratic opponent. But the district looks Republican (49 D-44 R).

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Agenda for '76: Flat pay raises, Low-income tax cut and land-use bills

The following is the complete text of the state-of-the-state message delivered by Governor Edmund G. Brown Jr. before a joint session of the Legislature on January 7, 1976.

They say they have a pool on how long this speech will be. I only hope I will not disappoint you.

Today I want to share with you a few thoughts on the condition of our state and areas where concentration will be required in the years ahead. We have just come through a very difficult period. Fortunately, we began the year with a sufficient surplus to weather the decline in state revenues. Unlike other states that have had to take drastic measures, California has kept on an even keel. Were it not for the upturn in the economy, we would be faced with the unpleasant task of asking for additional taxes.

Instead, I can now present to you a budget that will require no new taxes. The money which the people will provide under the existing statutes is adequate to meet our needs this year, though we cannot easily disregard the lessons of other states where government actions far exceed the available funds. Toward that end I will work to maintain a prudent surplus as a hedge against an uncertain economy. It is simply not responsible to spend down to the last dollar in hopes the economy will grow and grow. That would be to ignore the cyclical nature of our system and do a disservice to those who would come to depend on programs that would have to be cut back in later periods.

I know some would argue that state government now should dramatically expand and require more from the people for the many programs that await enactment. I disagree with that and I want to tell you why. We face a new challenge. It is not the one faced by those who preceded us. For them it was how to cope with tremendous growth. But for us it is a far more subtle and difficult undertaking. Throughout much of our recent past the economy and the environment generated a surplus out of which new social programs could be financed. Growth was so rapid that relatively few hard choices had to be made. It was an era of guns and butter, of escalating benefits and few questions, at time when new programs were added and few old ones eliminated. That time is no longer. We have just concluded and lost the most disastrous war in our nation's history. The oil boycott has shown that our economic machine is dependent on the resources of others.

'Era of limits'

We began the last decade with great expectations about ending poverty and providing equal opportunity to everyone. Glib statements were made about protecting the environment. Yet, now we come face to face with sluggish economic growth, increasing social instability, widespread unemployment and unprecedented environmental challenges. Something has to give. The country is rich, but not as rich as we have been led to believe. The choice to do one thing may preclude another. In short, we are entering an era of limits. In place of a manifest economic destiny, we face a sobering reassessment of new economic realities, and we have all got to get used to it. We can't ignore the demands of social and economic justice or the fragile environment upon which we all depend. But in meeting our responsibilities we are now forced to make difficult choices.

Freeways, child care, schools, income assistance, pensions, health programs, prisons, environmental protection — all must compete with one another and be subject to the careful scrutiny of the common purpose we all serve. It is a relentless test, one that a growing number of former democracies throughout the world have found they could not meet. It is now a question of reordering priorities and choosing one program over another based on a rigorous standard of equity and common sense.

We should do those things which government does well, perform them in the most effective manner and help those most in need. For example, those at the lower end of the economic scale have the least ability to withstand the ravages of inflation. Accordingly, I propose, starting July 1st, that the state income taxes be eliminated for those individuals making $5,000 or less, or $10,000 in the cases of a married couple. These are the citizens who need all they earn, who toil for low wages and who must spend every dollar they receive, thereby stimulating the economy. This is a program that helps people and requires no bureaucracy to administer.

Next, I propose that instead of the traditional percentage increase for state employees, you provide a flat dollar increase across-the-board so those with the least income are treated fairly. Groceries and gas bills are paid in dollars, not percentages.

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As inflation eats away at our income, it makes no sense to give the most to those with the greatest discretionary incomes.

'A fair chance . . .'

And, while we treat our own state workers with greater fairness, let us not forget that many arbitrary barriers still stand in the way of people who wish to advance in our society. To open up employment opportunities, I will support legislation to strengthen the power of the Fair Employment Practices Commission. While the state cannot create all the jobs we need, it can certainly work to insure that all our citizens, whatever the color or sex or age, be given a fair chance at all levels and types of employment. And to insure that equal opportunity is a reality as well as a promise, I will support a 50 percent increase in both Educational Opportunity Programs and College Opportunity Grants.

Next, I see the need for opening up the professional and licensed occupations by increasing public accountability within their governing boards. It is time to eliminate arbitrary restrictions that serve more to create a monopoly and protect the profession from the people rather than the reverse. In the same vein, I would like to see as many special funds as possible eliminated and transferred to the general fund so that the Legislature may assess priorities each year and allocate funds to where the need is greatest. Too often, money is spent simply because it sits in a designated fund and can't be used for any other purpose.

After almost an entire year of deliberation, we are still facing a malpractice problem beset by rising costs and few easy solutions. The doctors would like their premiums reduced, but the patients and the lawyers keep suing for more. Given our legal protection of the right to recover for injuries negligently inflicted, we face a hard choice of either cutting back on patient rights or forcing doctors to pay high premiums that escalate every year. Again, the system faces a new challenge and will not be wished away. No one person or group is really to blame. It is the product of a set of incentives that have now become counterproductive. I think we can solve it, but only if those affected are willing to sacrifice and accept fundamental reform. Unfortunately, the crisis in malpractice is only a symptom. Soon we will have to come to grips with the need to reform the entire tort system. Our old rules are creating runaway costs that will force us to re-examine basic values about how much risk we are prepared to accept, what level of compensation is reasonable and who should pay for it.

The strain in malpractice represents just one area of conflict where difficult choices must be made. Land-use is another. Again, we face a choice between competing interests. The Coastal Commission, after thousands of hours of hard work, has given us a plan to protect our coastline. It is now up to us to fulfill the mandate of the people and devise reasonable rules to control the use and the development of this very precious resource.

A similar but perhaps more difficult challenge is presented by the need to preserve prime agricultural land. It's a resource that must be protected not only for this generation but for those who come after us.

'Civilian conservation corps'

Finally, I want to comment on unemployment. Last year, you increased unemployment-insurance benefits by $600 million. You extended coverage to farm workers for the first time. The Employment Development Department placed over 500,000 people in jobs. The state has committed hundreds of millions of dollars to job training, to public-works programs. In addition, I propose we set aside approximately $10 million for a civilian conservation corps. That will not only protect our environment but provide needed job opportunities.

Nevertheless, we continue to face the specter of nearly one million people out of work. Until the federal government intervenes more forcefully in our economy, we are left fighting a rear-guard action. I ask that, as each bill comes before you, you evaluate it in terms of its job impact. Until this country provides full employment, we will continue to face mounting instability and a relentless demand for additional government services and income transfers.

'I'm proud of you'

I expect the year ahead to be an adventure no less than last. As we began, you didn't know what to expect and neither did I. But by any standard, we came through it very well. The people can be proud of all that we've done. I'm proud of you.

AND A REPUBLICAN VIEW . . .

The following response to the Governor's state-of-the-state address was prepared by the Senate minority floor leader at the request of the Journal.

By Senator George Deukmejian

Governor Edmund G. Brown Jr., upon completing his first full year in office, has succeeded in getting the people to talk about Jerry Brown, while avoiding any talk about what he has done. Notably, he has offered few sound, long-range solutions to the major problems faced daily by California's citizens.

The Governor spent one entire year asking penetrating questions and criticizing many governmental programs and institutions. Now is the time for answers — for solutions — and he hasn't offered any.

However, since we are also inquisitive, here are a few major questions we believe it fair to ask:

1. *Governor, we are pleased that you signed the two mandatory-prison-sentencing bills sent to you by the Legislature last year, but, with major crimes increasing at an alarming rate, with our elderly citizens constantly under physical attack by youthful criminals, with narcotics traffickers gaining a deeper foothold into California's society, with the courts seemingly more concerned for criminals and less protective of the personal safety of law-abiding citizens, with the Adult Authority adopt-*

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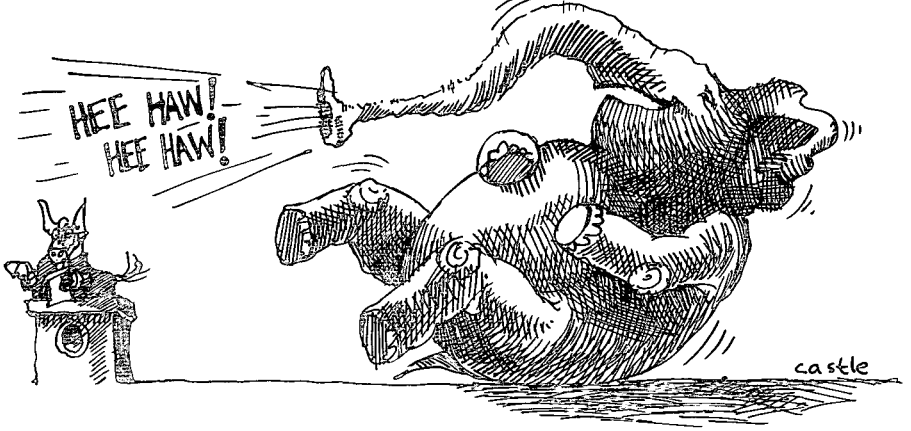

ing a new early-release program that will put 11,400 male felons, murderers, arsonists and rapists included, back on the streets by March 1976 –
Governor, why have you failed to offer a single program in the crime prevention area, or for that matter, to even mention the subject in your State-of-the-State speech?

2. *Governor, with nearly a million Californians unemployed, with jobless rolls near the 10 percent mark, with few significant signs that the spiral of inflation is letting up, with thousands of our own public employees facing dismissal from their jobs, and in the light of your own statement last year that "... the private sector still is ... the principal source of employment" –*
Governor, why have you done so little to relieve our serious unemployment problem except to put more people on the public payroll and to point a finger at Washington claiming jobs are a federal problem? Why did you further adversely affect the small businessman and our unemployment situation by supporting many major anti-business bills passed by the Democratically controlled Legislature last year?

3. *Governor, the* Serrano *decision has called on the state to provide equal educational opportunities for our children –*
Governor, why did you place the unionization of teachers in a higher priority than finding a solution to the financial problems of education for millions of California's children?

4. *Governor, while the people, time and time again, had made it abundantly clear by their votes that they did not support the concept of collective bargaining for government employees, that public workers should not have the right to strike –*
Governor, why did you expend such tremendous effort — work around the clock and push and cajole legislators — in an attempt to shove collective bargaining for all public employees down the people's throat?

5. *Governor, Republicans have always advocated fiscal responsibility and balanced budgets, and we are pleased to hear your statements in support of this policy. We like to hear your comments which reflect Republican philosophy such as "pouring more money into a program does not make it better." We understand why you see a need for a substantial state surplus even though it will be considerably less than the more than $500 million left to you by the outgoing Republican administration –*
But, Governor, why did you sign a budget bill and additional appropriation bills during 1975 that used up most of that surplus and resulted in the state's spending more money than it was taking in? How can a "fiscally conservative" Governor vigorously support costly public-employee-bargaining legislation?

The Republicans who serve in the Legislature recognize the many major problems that California faces today. They are willing and eager to work cooperatively with the Governor and our Democratic colleagues to develop effective solutions to our current problems.

We see the need for a strong and forceful campaign to curtail crime, particularly the steadily increasing narcotics-trafficking problem, which results in a huge number of other crimes to pay for the habits of addicts. We will offer a number of bills this year aimed at the crime problem and hope that the Governor will offer his leadership to gain passage of these bills.

The jobless problem cannot be answered by putting more and more people on public payrolls. We need to provide appropriate incentives to the private-enterprise community, where most of the job potential lies. Government interference, costly restrictions and restraints vaguely tied to environmental and safety needs require hours and days of effort every month by the business community just to keep up. New business prospects are finding it much easier to locate in other states. California's business climate rates as nearly the worst in the nation. Republicans suggest elimination of red tape to bring California back into the business-relocation business, and its related job production. BUSINESS MEANS JOBS AND JOBS MEAN PEOPLE.

Educational financing is going to require diligent work and considerable leadership from the Governor's office. We hope that he will make the "hard choice" and expunge collective bargaining from his priorities in favor of a concentrated effort to resolve our educational financing problem.

We know that it must be extremely hard for the Governor to sermonize Republican fiscal conservatism when he is urged to meet the demands of the liberal wing of his own party. We hope to add a few more fiscally conservative Republicans to our ranks after the November election in order to assist him in holding the line on state spending. We will work hard to reach that goal and we hope that he will be honest to his objectives and not campaign on behalf of big-spending liberals.

In the meantime, Governor, a suggestion: As the political leader of 21 million Californians, try raising your lowered expectations a bit. We may be in an "era of limits", as you suggest, but they are financial limits — not limits on human spirit, initiative or ideals. We need the kind of leadership that will inspire our citizens to become producers and to maximize their aspirations.

CLARIFICATION

In last month's articles on "Controller Cory and the Tangled Web", state inheritance-tax referee B. Maurice Read was identified as a partner in a Sacramento advertising firm that has done work for Cory and other Democratic candidates. Al Donner, co-author of the article in question, said this statement was based on the official report of expenditures filed by Cory's campaign committee for the 1974 election, showing a $203 payment to Read's firm for help with invitations to a function. Read says that he never received a cent from Cory, although he recalls a discussion involving the invitations. According to Read, payment was made directly to the printer and there was no income to the advertising firm. "The article implies that I was appointed as a result of politics," Read stated, "and it's just not true."

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The 'Quad Squad' - setting an example

By Carla Lazzareschi

It's hard to miss Ed Roberts as he glides around the streets near the Capitol in his eight-mile-an-hour, custom-built, battery-operated wheelchair. Nor is it easy to miss the influence Roberts, who is almost completely paralyzed, has had on the state Department of Rehabilitation since he took over as its director last November 1st. Roberts has not only shaken up the department organizationally, by eliminating layers of bureaucracy between the director and counselors working with the disabled, but his mere presence in the department is a constant reminder of what he wants the department to do for California's disabled — namely, reach the 200,000 or so Californians classified as severely disabled and give them an opportunity to become independent, self-sufficient contributors to society. Ed Roberts has come a long way in his 37 years to occupy what may be the highest post held by a quadriplegic, in public or private life.

Since being stricken with polio at age 14, Roberts has been able to move only the third finger of his left hand — "God gave me the bird," he once quipped — and shake his head. He works in his wheelchair and spends up to 12 hours a day in an iron lung. Roberts has round-the-clock attendants in his Sacramento home, which he shares, he says, with his "old lady". Once in his wheelchair he can move himself by pushing the control lever with his one good finger.

Roberts does not allow his disability to handicap him. He received his bachelor's and master's degrees in political science from the University of California at Berkeley, where he is a thesis away from receiving a doctorate. He has been a successful lobbyist on behalf of the disabled in Berkeley for half a dozen years, where he was instrumental in inducing the Bay Area Rapid Transit District to correct some of the physical barriers BART posed for the disabled. It was through his work in Berkeley that Roberts came to the attention of Governor Brown.

The author is a regular contributor to the Journal.

Taking charge

Less than two weeks after arriving in Sacramento, Roberts ordered a reversal of the department's priorities. Roberts says the emphasis now will be on helping people who either need to be retrained because of a disability or who, like himself once, need help to overcome fundamental disabilities that make them totally dependent upon medical institutions, family or friends. The federal government, which funds more than 80 percent of the department's current $76.2 million budget, wrote this new emphasis into the Rehabilitation Act of 1973 but it had not been aggressively enforced. Under Roberts' direction, people with mild disabilities are now being refused service by the department, releasing more funds to be spent on the severely disabled, who will now receive 70 percent of the department's money. Those who used to qualify for rehabilitation services are being told to rely on Medi-Cal.

Favoring the 'infeasibles'

Roberts' reforms have not made everyone happy. One program to be dropped helped convicted criminals who were deemed to be "behaviorally disabled", and many of these came from minority groups, which have vented their dissatisfaction. And pressure groups for alcoholics, drug addicts and the retarded are also upset because of other cutbacks. Roberts and three of his top deputies, who like their boss are quadriplegics, are commonly known around the department as the "Quad Squad", a term Roberts recognizes as carrying a measure of resentment..

But Roberts is convinced that the department is pursuing the right course. "The department should be treating the people with the greatest need," Roberts said. "For years people like me — and I was one of them — were traditionally rejected by this department because we were called 'infeasibles'. We were told we couldn't work and we were told to expect to spend the rest of our lives tied to either our parents or some medical institution."

Roberts believes that there are few "infeasibles". After he was stricken he spent two years in a hospital. After that he spent two more years at home with his parents, virtually living in his iron lung.

'I can do anything . . .'

Today, Roberts uses his one good finger to operate a specially designed telephone that rests on a custom made "lazy Susan" desk. With his finger he operates a motor that turns the "lazy Susan" to bring papers to him. "I can do anything, except ski," he said. Roberts wants to sell the advantages of being disabled. "Disabled people don't realize their talents," he said. The Director also talks about the "psychological advantage" of the disabled. "There's *power* in being disabled," he said. Those 'poor helpless cripples' are all manipulating the hell out of people, playing on the sympathies of the rest of the people."

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COST UP, REVENUE DOWN

End of the road for the freeway 'machine'

By STEVE JOHNSON

California's great freeway-building machine is stalled for lack of fuel. The construction euphoria of the 1960s has given way to the dollar doldrums of the 1970s, and the state Department of Transportation has been forced to ration its resources. The revenue squeeze is so tight that there is not even enough money in the highway fund to pay for projects authorized by the Highway Commission. This shortage has caused Caltrans, as the department likes to call itself, to shift its emphasis from the construction of new freeway mileage to maintaining and improving existing roads.

The fiscal crunch is hardly complicated. Inflation has reduced the purchasing power of the highway fund, and the total dollars available for distribution this year dropped by almost $100 million. Not that there isn't still a healthy sum available — an estimated $843 million for the year — but that sum won't begin to fuel the freeway-building machine at anything like its old pace.

Political problems

In addition, there are political problems. The Brown administration wants to abolish the Highway Commission, do away with the 60-40 South-North split of freeway funds, and put the entire highway fund into the state's general fund, where freeways would compete with every other aspect of government for the available dollars. These proposals, which have been handed the Legislature by Transportation Secretary Donald Burns, probably will not be enacted because of opposition from the "freeway establishment" and key legislators. But not many years ago it was unthinkable that such proposals even be seriously entertained.

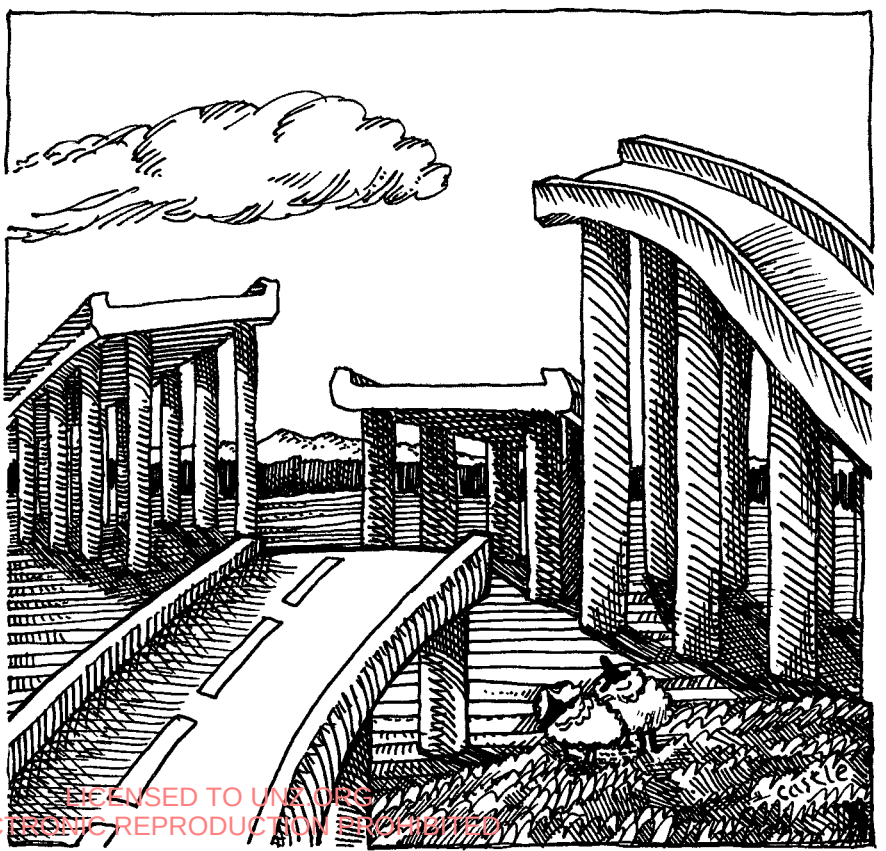
These suggestions run counter to the efforts of state employees to pump more money into Caltrans to reduce the layoffs in the department caused by the construction cutback. It was only in 1971 that the Legislature put the 60-40 split into effect. Under 1947 legislation, the South had been given a 55-45 advantage. The basic law, put into the Constitution in 1938, placed gas-tax money into a special fund to be distributed by the Highway Commission and out of reach of the governor and the Legislature. Thus, it would take a constitutional amendment to put the money into the general fund, as Burns proposed.

While Burns may not attain his goal, he, through Governor Brown, is in a position to veto the efforts of legislators who want to raise the current 7-cent gasoline tax (plus 4 cents in federal tax and about 3 cents a gallon more in sales tax) 2 or 3 cents to pump more money into the highway program. A bill by Senate President pro Tempore James Mills to boost the state sales tax by 2 cents was stalled last year in the Assembly because of the administration's oppostion.

Harsh reality

The fiscal squeeze on the department has forced Caltrans' director, Sid McCausland, to face a harsh reality. He has the task of trying to stretch fewer dollars in a time of high inflation.

The highway fund has three basic sources of funds. The state gasoline tax has increased only slightly, from $400 to $410 million, since 1972. The



The author, a student at the University of California in Davis, prepared this article while a Journal *intern.*

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federal highway-trust-fund subvention, $410 million this year, will drop by about $7 million in the next year. But the biggest blow is the loss of revenue from the motor-vehicle fund, which also supports the Department of Motor Vehicles and the Highway Patrol. Caltrans' share will be down from $115 million in 1972 to $24 million next year.

This picture is further clouded by the fact that the department historically over-extended itself by projecting work far into the future. The assumption had been that funds would flow to the Highway Commission at a fairly steady rate. So the commission kept scheduling new projects as the department purchased right-of-way for proposed roads. The troubles began when the Nixon administration began impounding highway funds in an attempt to curb inflation. This forced the Highway Commission to re-allocate its resources. But the critical pinch did not hit until state money started drying up as well. When President Ford released impounded highway funds early last year, the department was hard pressed to come up with the $26 million needed to qualify California for $128 million in federal allocations. All Caltrans' reserves had been committed to projects so that the over-extended highway machine could roll on.

Moratorium imposed

Last March, a moratorium was placed on new contracts for large construction projects. This was extended in July to all new construction. The program will resume this spring, but at a carefully regulated pace. Gone are the days when the Highway Commission can approve dozens of major projects at a single sitting. In recent months, the commission has concentrated on rescinding previously approved projects.

A Caltrans representative said that the moratorium recognizes other fundamental changes in state policy besides the obvious fiscal problems, including the following:

- ***The department and the commission realize that they have been working too far ahead, and Caltrans is trying to sell property purchased for projects far into the future.***
- ***The state's highway-builders believe that there is no longer a compelling need to build all the freeways on the drawing boards and that freeway construction no longer holds an unchallenged priority.***
- ***The department, aware that freeways cause environmental problems (which in turn create opposition within affected communities), will now drop a project rather than face a lengthy court battle.***

The fiscal dilemma has forced Caltrans to adopt a new set of priorities for what funds remain. The most apparent change is that the 1976-77 budget allocates only $436 million for construction, including $196 million to upgrade present highways and $240 million for building 77 miles of new freeways and other roads. This is a drop from the 85 miles expected to be built during the current fiscal year. Of the 77 miles, only projects already under construction that can be completed within a year or two will be funded. Longer-range, expensive projects such as the unfinished link in Interstate 5 between Sacramento and Stockton must await an improved financial climate. While cutting construction of new mileage, the commission has been forced to increase expenditures for improving unsound or unsafe portions of the current highway system. Safety improvements represent about 5 percent of the overall budget.

Sic transit gloria

What about the years ahead? Will Caltrans ever return to the halcyon days of the 1960s, when freeways seemed to be rolling out everywhere? The consensus is that those days are gone forever, although the Brown administration did allocate $26 million from the $50 million in savings from year-round vehicle registration to help relieve the pinch. There is also a growing trend at both the federal and state levels to emphasize the funding of mass-transit projects. Visions of eight-lane speedways are being replaced in the minds of those occupying the seats of power by visions of buses and trains using the tax funds that used to fuel California's great freeway-building machine.

Road-work you *won't* see

Major projects eliminated in 1975:

A 28-mile segment of proposed freeway (Highway 50) between Sacramento and South Lake Tahoe. Savings: $330 million.
47 miles of freeway in the Sacramento area. Savings: $200 million.
A 19-mile segment of a proposed eight-lane freeway between Interstate 5 and Highway 101 in Los Angeles. Savings: $375 million.
7.4 miles of freeway (Highway 39) in Orange County. Savings: $177 million.

Projects the commission may eliminate:

Beverly Hills freeway, a 9.5-mile segment of Route 2. Savings: $375 million.
37 miles of freeways in San Diego County (freeways 76, 56 and 125). Savings: $159 million.
A 4.5-mile section of six-lane highway linking Route 107 near Brisbane with Interstate 280 in San Francisco. Savings: $125 million.
Route 605 freeway in Seal Beach, Orange County. Savings: $60 million.

Road-work you *will* see

Some major projects to be funded this year:

8.7 miles of freeway in San Diego County (three projects). Cost — $44.7 million.
Paving of 3.4 miles of the eight-lane Glendale Freeway in Los Angeles and Glendale. Cost — $19.5 million.
An eight-lane freeway project in Riverside and San Bernardino counties. Cost — $12.5 million.
Completion of a 1.75-mile, six-lane freeway in Concord. Cost — $10.7 million.
Paving of 7 miles of six-lane freeway (Interstate 5) near Stockton. Cost — $10.4 million.
Construction of 11 miles of four-lane freeway (Interstate 505) near Madison. Cost — $5 million.

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California NEWSBRIEFS

Legislature resumes work on malpractice, farm-labor problems

As the state lawmakers reconvened in Sacramento last month they were presented with at least two urgent problems — dealing with the still-soaring medical-malpractice insurance premiums and appropriating additional funds to keep the new Agricultural Labor Relations Board functioning.

Of the two problems, the latter appeared the more likely to be resolved first, though opponents to the farm-labor legislation passed last year hoped to use the need for funds as leverage to dilute the act's provisions. The board quickly exhausted its initial appropriation after labor-organizing elections and protests far exceeded estimates. The board put 200 of its employees on notice last month that they could be let go should the needed funds not be forthcoming. See "The Bitter Harvest," *CJ*, November 1975.

As for the medical-malpractice problem, administration officials have been negotiating with representatives of the medical profession in an effort to find a plan cutting the cost of insurance premiums, which have risen to such a point that some doctors say they can no longer pay them. To emphasize the seriousness of the problem, many doctors — particularly in Southern California — have begun to withhold their services, creating a slow-down in a number of hospitals. That problem will require legislative action, too, despite enactment of one measure last year. [See "Doctoring malpractice," *CJ*, October 1975.]

Caltrans continues personnel cuts and regroups its forces

The state Department of Transportation continued pruning its workforce last month with 151 upper-level management positions getting the ax. A total of 2,800 jobs are to be dropped by July as Caltrans retools from a road-building mission to one of rehabilitation and maintenance. Director Sid McCausland also proposed eliminating the job of chief engineer by merging it with that of deputy director of operations — a change that will require approval of the state Personnel Board.

Attempt to override Brown's veto on liquor tax fails

The Senate refused to override Governor Brown's veto of a bill increasing liquor taxes to expand programs to treat alcoholism. The effort, launched by the bill's author, Senator Arlen Gregorio, failed by seven votes.

Population growth continues to lag in Southern California

A lower birth rate and a drop in migration to California prompted planners for the Southern California Association of Governments to cut nearly a half million people from their estimated Southern California population in 1990. Only Orange and Imperial counties will have more people than thought; the forecasts for Los Angeles, Riverside, San Bernardino and Ventura counties have all been revised downward.

Voter-pamphlet cost won't be as high as Secretary Eu thought

Secretary of State March Fong Eu, who originally claimed that carrying out a federal requirement that voter information be available in several languages would cost $40 million, sharply cut that figure. Complying with the Federal Voting Rights Act will cost more like $5.8 million, she said last month. Instead of sending all registered voters multilingual editions (English, Spanish and Chinese), Eu said, all will receive English-language versions. Anyone requesting the Spanish or Chinese editions would be sent a copy, she said. The plan awaits federal approval.

Meanwhile, Eu drew by lot a ballot alphabet that will determine in what order candidates' last names are listed this year: k-q-u-b-c-n-l-h-e-p-d-f-x-o-a-m-z-w-s-g-j-t-i-v-y-r. Though k-q-u doesn't have quite the familiar ring of a-b-c, the modification is required by a court decision that eliminated the traditional alphabetical listing.

Air Resources Board hits American Motors with $4.2 million fine

For the second time in a year the State of California has taken on an auto-maker for non-compliance with the state's exhaust-emission standards. American Motors Corporation was fined $4.2 million and banned from selling certain models of its cars. The state Air Resources Board also charged AMC with filing false test reports. AMC denied this latter allegation and called the fine unwarranted in terms of the number of cars involved — fewer than a thousand sold.

Last spring the state board took Chrysler Motors to task for failing to meet the state's toughest-in-the-nation clean-air standards.

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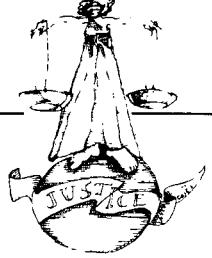

SIGNIFICANT COURT ACTIONS

Loosening the purse-strings

The state Supreme Court opened the vaults to unlimited spending on the Nuclear Powerplant Initiative and other propositions on the June ballot by suspending the ballot-measure spending limitations in the Political Reform Act of 1974. The court, in a brief order signed by Acting Chief Justice Stanley Mosk, prevented enforcement of the spending limit pending a full hearing on the constitutionality of the ballot-measure section of Proposition 9.

Citizens for Jobs and Safety, an organization opposed to the nuclear initiative, petitioned the court to lift spending ceilings set by the state Fair Political Practices Commission. The petition also asked the court to rule spending limits on any ballot measure illegal violations of the right of free speech.

The reform act sets a limit of about $1.2 million for any side of an issue, but neither side may spend more than $500,000 over the amount spent by the opposition. The court's action will help opponents to the nuclear initiative.

Rejecting a reform

The Court of Appeal in Sacramento struck down the Adult Authority's new parole-reform system, which virtually eliminated the indeterminate sentence in favor of prison terms of specified length based on objective data. The court said that, although there appeared to be sound reasons for the changes instituted by former chairman Raymond Procunier, the authority did not have the power to make them. Procunier said that the decision would be appealed, but the point would be moot should the Legislature enact a pending bill by Senator John Nejedly putting the Adult Authority program into law.

The decision, written by Justice Leonard Friedman, said that Procunier's action violated the principle that administrative regulations must conform to enabling law. "The question before the reviewing court is not the wisdom of the agency's rule or policy, but whether it would alter or amend the statute."

The issue was brought to the court in two cases, *In re Reed* and *In re Stanley on habeas corpus,* involving prisoners unhappy with the authority's disposal of their cases. The decision will have no effect on prisoners already released or given release dates under the new policy. But it will allow dissatisfied inmates to demand new parole hearings. [See "How wide did Procunier open the state's prison gates?", *CJ,* January 1976.]

NEWSMAKERS

New faces in the legislative leadership

The Legislature began its 1967 meeting with new faces in key leadership roles. The election of **George Moscone** as mayor of San Francisco left the post of Democratic floor leader in the Senate open, and **David Roberti** advanced to the job from caucus chairman without opposition. **John Dunlap** then defeated **Nate Holden** for the job vacated by Roberti in a battle of freshmen. In the Assembly, Republican floor leader **Robert Beverly** gave up his top job after indicating that he would run for the state Senate seat now held by Republican **Robert Stevens,** who is retiring. In a 13-12 vote, **Paul Priolo** edged **Eugene Chappie** for Beverly's job. Priolo was then empowered to fill the two other GOP leadership posts. He named Chappie as caucus chairman (succeeding **Frank Murphy,** who has announced that he will not seek re-election) and **Mike Antonovich** as party whip . . . . Assemblyman **Louis J. Papan** resigned as speaker pro tempore and was replaced by **John T. Knox.** Both are Democrats. Republican **William A. Craven** succeeded Knox as chairman of the Local Government Committee.

Assemblywoman **Pauline Davis** announced that she will retire at the end of her current term. Her 23 years of service will give her the longest tenure of any woman legislator in California history. Davis, 59, made the announcement while recuperating from a gallbladder operation. She said she would open a curio shop in Old Sacramento. . . . **Merle Z'berg,** widow of Assemblyman Edwin L. Z'berg of Sacramento, was hired as an assistant history clerk in the Senate at $978 a month. She will also draw about $1,280 from the legislators' pension plan. . . . The Fair Political Practices Commission fined nine committees supporting Assemblyman **Vic Fazio** and his special-election opponent, Republican **Mike Abernathy,** a total of $1,350 for violation of disclosure provisions of the Political Reform Act.

Dr. **Louis Cella,** the Orange County physician and businessman who provided a major share of Controller Ken Cory's campaign funds in 1974, was indicted by federal and county grand juries on 171 felony counts stemming from the alleged embezzlement of funds from two hospitals . . . . **Alfred Gitelson,** the Los Angeles judge whose desegregation order for Los Angeles' schools in 1970 cost him his post on the Superior Court bench, died at 69 . . . . State Treasurer **Jesse M. Unruh** was arrested near Sacramento for driving under the influence of alcohol . . . . Burbank attorney **Fred Gabourie,** a 53-year-old Seneca Indian and former actor, became the first full-blooded Native American named to a California judgeship. He was named to the Municipal Court bench by Governor Brown.

Leaving the Brown administration: **Robert Gnaizda,** deputy secretary of health and welfare, to return to poverty-law work in San Francisco; **William R. Stall,** press secretary, to become a general assignment-reporter with the *Los Angeles Times* . . . . **Raymond Procunier,** whose appointment as chairman of the Adult Authority was rejected by the state Senate last year, stepped down from the job January 15th.

Appointments by Governor Brown: To the new California Arts Council, poet **Gary Snyder,** film-maker **Alexander MacKendrick,** sculptors **Noel Purifoy** and **Ruth Asawa,** symphony leader **Karney Hodge,** Sufi Choir director **Allauddin Mathieu,** painter **Suzanne Jackson** .

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A WASHINGTON PERSPECTIVE . . .

By Lou Cannon

The other sunshine state

In the bar of the ramshackle Ramada Inn at Ocala, Florida, the juke box blares out an oldie known as "The Great Pretender." On the Reagan campaign plane en route to Miami the stewardess hands out an old box lunch from which is extracted a tasteless roast beef sandwich implanted with an American flag and a misspelled sign: "Regan for President." In Broward County, Republican women waiting to hear Nancy Reagan are given the sheet music to "Don't Be a Pagan, Vote for Reagan." This is the way it is in Florida, where Ronald Wilson Reagan finally is campaigning overtly for President. It is a light-hearted campaign, and it could be Reagan's last.

Of all the early primaries it is Florida's that really counts for Reagan. New Hampshire is first, of course, but its importance is diminished by the 29 primaries that will follow it and by the antics of Citizen Loeb, who has always been more adept at ruining candidates than at electing them. In this respect Reagan is neither an emotionally vulnerable candidate like Edmund Muskie nor a political kamikaze pilot like Pete McCloskey. Whatever happens on February 24th in New Hampshire (or the following week in neighboring Massachusetts), both Ford and Reagan will be competing in Florida, the man-made state that holds the key to Reagan's future. Reagan's strategists start with the assumption that he must do well with Southerners and conservatives and older voters. Florida is Southern and conservative and has the highest proportion of over-60 voters of any state. One out of every six Floridians is over 65, and one out of every three registered Republicans in the state is drawing Social Security. On paper it should be a made-to-order state for Reagan, who still enjoys an actor's celebrity status among many retired persons of his own generation. Without a victory in Florida it is difficult to see how Reagan's campaign could long survive.

* * *

The conventional wisdom in Florida when Reagan declared his candidacy last November was that he would win the primary in the proverbial walk. His Florida campaign manager, former state GOP chairman L.E. (Tommy) Thomas, predicted a 2-1 victory, and his early estimate privately was shared by the more realistic Ford strategists. Now, published polls and the candidate's private surveys show a virtual dead heat between Reagan and Ford with nearly one-third of the voters undecided. Reagan no longer is considered a shoo-in to win the March 9th primary. Already his strategists are beginning to ask: What went wrong?

The conventional answer to this question at this early date is "$90 billion", the campaign shorthand for a speech Reagan made in Chicago last September 26th in which he proposed the "systematic transfer" of six major federal programs -- housing, education, welfare, Medicaid, food stamps and community development — to state and local governments. There is as yet no hard statistical evidence that "$90 billion" is unpopular with conservative Floridians. On the contrary, a spot check in Jacksonville by this reporter tended to show that the idea was a popular one. But "$90 billion", more than any other plan that Reagan could have invented, has done someting else that is not popular in Florida — at least with older voters. It has created the context for anti-Reagan Republicans to bring up the issue which Thomas believes cost Barry Goldwater the state in 1964, the old bugaboo of "voluntary Social Security." At Thomas' urging Reagan quickly came out against such an idea in his first campaign swing through Florida. Unfortunately, Reagan had helped the Ford people raise the issue by this untimely answer to a friendly questioner at a GOP conference in Houston last December 13th: "Young people in the room, perk up your ears because you're the biggest victims of this. Barry Goldwater, God bless him, tried to warn the people years ago and nobody would listen (cheers) and now it happens . . . ." Reagan's subsequent rambling discussion of an alternative plan stopped short of a voluntary Society Security proposal, but there is still a suspicion that the ghost of Goldwater lurks behind the Reagan smile.

* * *

Last, but certainly not least, Reagan has adjusted poorly to the goldfish-bowl quality of a serious presidential campaign. He has limited his press conferences in an effort to avoid incessant questioning about the transfer plan, a tactic that suggests he is not up to the give-and-take to which Ford regularly subjects himself. And even when he is in control of his own utterances, Reagan's campaign oratory lacks the precision needed to diminish the "$90 billion" issue. On a brief jaunt into Illinois and Wisconsin the former California governor was victimized by an inaccurate *Chicago Tribune* story which said Reagan had "admitted . . . he had made a mistake in proposing a $90 billion cut in the federal budget as a means of reducing taxes." Actually, Reagan had intended to say that he made a mistake in using the figure, a point which the six reporters who were traveling with Reagan understood. Reagan had created his own problem by saying "I guess I made a mistake" and then wandering through a 79-word sentence which never completed the original point.

All of this imprecision does not necessarily mean that Reagan already has gone the way of Goldwater. He has formidable assets in Florida, where the signs still proclaim "Reagan country". He has strength, for instance, among the state's many military voters and also among the growing bloc of Cuban-American Republicans, who seem to distrust Henry Kissinger (and therefore President Ford). But Florida is no longer a walkaway for Reagan, who started out last November determined to make Ford's lack of leadership the significant campaign issue of 1976. In place of that, the issue in the GOP primaries has now become the question of Reagan's judgment and, through that, of his own capacity to be President.

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INDEX

Indexes are available separately for each year at $2.50 each.

Patriotism is not a short and frenzied burst of emotion but the long and steady dedication of a lifetime.

— Thomas Jefferson

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